

**SIR ALEXANDER
MACKENZIE OF
SKYE TARBAT
ROYSTON
CROMARTY**

PAULM594

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1 DR ADAM HUNTER

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5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs16\P
AR \PAR GR 12 8 INVERNESS 13/3/1871\PAR DR
\CF1 ADAM HUNTER SURGEON EDINBURGH\CF2
HAD 2 UNGATES OF LAND EXTENDING TO 8
MERKS TROTTERNISH ONCE BELONGING TO
MCNEIL OF BARRA PART OF THE ESTATE OF
MACDONALD DR ADAM HUNTER CERTIFICATE
FOR THE COMMITAL OF SIR JAMES SUTHERLAND
MACKENZIE BROTHER OF ALEXANDER
MACKENZIE BARONET OF THE 48TH NATIVE
INFANTRY BENGAL WHOS MOTHER IS
KATHARINE MACKENZIE AND BY HER BELOW
PETITION CLAIMS CURATOR BONIS AND
APPOINTS ALEXANDER PETITION CLAIMS
CURATOR BONIS AND APPOINTS ALEXANDER
STUART TO OFFICE OF JAMES S. MACKENZIE
UNTO THE RIGHT HONOURABLETHE LORDS OF
COUNCIL AND SESSION\PAR cs2361MNM58/20
1843 THE PETITION OF MRS KATHARINE
MACKENZIE RELICT OF HONOURABLE THE EAST
INDIA COMPANY MOTHER OF SIR JAMES
SUTHERLAND MACKENZIE OF TARBET
BARONET\TAB HUMBL Y SHEWETH \PAR
\TAB\PAR THAT THE SAID SIR JAMES
SUTHERLAND MACKENZIE HAVING SOME
MONTHS AGO EXHIBITED UNEQUIVOCAL
SYMPTONS OF MENTAL DERANGEMENT TO AN
EXTENT DANGEROUS TO HIMSELF AND TO THE

LIEGES WAS BY WARRANT OF THE SHERIFF OF EDINBURGH PROCEEDING ON CERTIFICATION UNDER THE HANDS OF DR ABERCROMBIE AND DR ADAM HUNTER PLACED IN DR JOHN SMITHS ASYLUM AT SAUGHTON HALL WHERE HE NOW REMAINS UNDER THE NECESSARY RESTRAINT THAT FROM THE CERTIFICATES HEREWITH PRODUCED IT APPEARS THAT ALTHOUGH THE SAID SIR JAMES SUTHERLAND MACKENZIE HAS SINCE HIS RESIDENCE IN SAUGHTON HALL BECOME LESS VIOLENT AND IRRITABLE THAN HE WAS YET THAT HE STILL LABOURS UNDER SUCH REMAINS OF ABBERATION OF MIND AS RENDERS HIM UNFIT FOR BEING AT LARGE OR FOR MANAGING HIS OWN AFFAIRS AND THE PETITIONER HAS THE DISTRESS AND MORTIFICATION TO \PAR BELIEVE THAT HIS SPEEDY RESTORATION TO MENTAL SOUNDNESS CANNOT BE LOOKED FOR.\PAR THAT IN THESE CIRCUMSTANCES AND AS HIS INTEREST IS SUFFERING FROM A SMALL PENSION FROM THE EAST INDIA COMPANY BEING TILL A DULY AUTHORIZED PARTY BE APPOINTED TO RECEIVE AND DISCHARGE THE SAME IT HAS BECOME NECESSARY FOR THE PROTECTION OF THE SIR JAMES SUTHERLAND MACKENZIES PROPERTY AS WELL AS THE DUE CARE OF HIS PERSON TO APPLY TO YOUR LORDSHIPS TO APPOINT A CURATOR BONIS TO HIM AND THE PETITIONER BEGS LEAVE HUMBLY TO SUGGEST MR ALEXANDER STUART WRITER IN EDINBURGH WHO WAS HER SONS CONFIDENTIAL AGENT BEFORE HIS AFFLICTION AS AN ELIGIBLE PERSON FOR THE OFFICE \PAR THE PETITIONER THEREFOR MAKES THE PRESENT APPLICATION MAY IT THEREFOR PLEASE YOUR LORDSHIPS TO NOMINATE AND APPOINT THE SAID ALEXANDER STUART TO BE CURATOR BONIS TO THE SAID SIR JAMES SUTHERLAND MACKENZIE WITH THE USUAL POWERS AND IN TERMS OF THE ACT OF SEDERUNT THE SAID APPOINTMENT TO SUBSIST UNTIL UNTIL IT BE COMPETENTLY RECALLED ANDS THE CURATOR IT FINDING SUFFICIENT

CAUTION BEFORE EXTRACT OR TO DO OTHERWISE IN THE PREMISES AS TO YOUR LORDSHIPS SHALL SEEM PROPER. ACCORDING TO JUSTICE & C \cf1 JOHN GORDON\cf2\TAB\PAR \TAB \PAR APPENDIX\PAR MANDATE BY MRS KATHARINE MACKENZIE TO JOSEPH GORDON\PAR JOSEPH GORDON W.S. EDINBURGH ELGIN 24/2/1843\PAR \PAR MY DEAR SIR IN CONSEQUENCE OF THE LAMENTABLE STATE OF INCAPACITY INTO WHICH MY SON SIR JAMES SUTHERLAND MACKENZIE BART HAS FALLEN I AM UNDER THE PAINFUL NECESSITY OF REQUESTING THAT FOR THE PRESERVATION AND MANAGEMENT OF HIS PROPERTY AS WELL AS PROVIDING FOR THE PROPER CARE OF HIS PERSON YOU PRESENT APPLICATION TO THE COURT OF SESSION FOR THE APPOINTMENT OF A CURATOR BONIS TO HIM WITH THE USUAL POWERS IF MR ALEXANDER STUART CIRCUIT CLERK OF JUDICIARY WILL UNDERTAKE THE OFFICE I REQUEST THAT HE MAY BE SUGGESTED TO THE COURT AS A PERSON IN WHOM I HAVE THE UTMOST CONFIDENCE AND WHOM I CONSIDER WELL QUALIFIED TO TAKE THE CHARGE I AM MY DEAR SIR YOUR MOST OBEDIENT HUMBLE SERVANT SIGNED \cf3 KATHARINE MACKENZIE\cf2\PAR \TAB\PAR \PAR \cf3 CERTIFICATE BY DR ABERCROMBIE AND DR ADAM HUNTER EDINBURGH 23/11/1842 WE JOHN ABERCROMBIE AND DR ADAM HUNTER PHYSICIANS IN EDINBURGH HEREBY CERTIFY ON SOUL AND CONSCIENCE THAT WE HAVE VISITED AND DULY EXAMINED SIR JAMES SUTHERLAND MACKENZIE OF TARBET BARONET NOW RESIDING AT SAUCHTON HALL LUNATIC ASYLUM UNDER THE CHARGE OF DR SMITH AND FOUND HIM LABOURING UNDER SUCH MENTAL IMBECILITY AS TO RENDER HIM FOR THE PRESENT INCAPABLE OF MANAGING HIS OWN AFFAIRS SIGNED JOHN ABERCROMBIE

ADAM HUNTER M.D. CERTIFICATE BY DR
ABERCROMBIE AND DR HUNTER WE CERTIFY
APON SOUL AND CONSCIENCE THAT WE HAVE
VISITED AND EXAMINED SIR JAMES
SUTHERLAND MACKENZIE NOW RESIDENT IN
THE ASYLUM AT SAUGHTON HALL AND WHILE
WE FIND HIM CONSIDERABLY IMPROVED SINCE
THE DATE OF OUR LAST REPORT WE ARE OF
OPINION THAT HE STILL LABOURS UNDER SUCH
REMAINS OF ABBERATION OF MIND FOR THE
PRESENT RENDERS HIM UNFIT FOR BEING AT
LARGE OR FOR MANAGING HIS OWN AFFAIRS
SIGNED JOHN ABERCROMBIE ADAM HUNTER
M.D. EDINBURGH 10/3/1843 PETITION TO BE
INTIMATED IN THE MINUTE BOOK SIGNED BOYLE
EDINBURGH 22/5/1843 THEREBY CERTIFY
THAT THE FOREGOING PETITION HAS BEEN DULY
INTIMATED IN THE MINUTE BOOK JOSEPH
GORDON HUGH ROSS. CS 235/INM/MISCM11.1
1720 ALEXANDER MACKENZIE HAD IN THIS
DEED REFERENCE THE BARONY OF
TROTTERNISH ISLE OF SKYE AND IT IS THIS
ALEXANDER MACKENZIE OF CONANS BAY WHO
IS GRAND UNCLE TO TO SIR JAMES SUTHERLAND
MACKENZIE WHOS DOCTOR HAD THE 2
UNGATES TROTTERNISH SKYE. THAT ALXANDER
MACKENZIE OF ARDLOCH BORN 1692 ARDLOCH
MARRIED MARGARET SUTHERLAND 16/09/1732
DEED REFERENCE RD4. 232 MARGARET
SUTHERLAND DAUGHTER OF ROBERT
SUTHERLAND OF LANGWELL 12TH IN DESCENT
FROM WILLIAM DE SUTHERLAND AND PRINCESS
MARGARET BRUCE SISTER OF DAVID 11 ROBERT
SUTHERLAND CAN BE ENQUIRED AT
REFERENCE CS238 H11.27 AND OF LANGWELL
HEIR TO ESTHER SUTHERLAND HIS
GRANDMOTHER. ALEXANDER MACKENZIE OF
ARDLOCH DIED 21.05.1778 AND IS BROTHER TO
COLONEL ALEXANDER MCKENZIE OF
CONANSBAY HE HAD TITLE TO LANDS IN
TROTTERNISH ISLAND OF SKYE REFERENCED IN
CS235.M11.2 AN UNEXTRACTED COURT OF
SESSION EXTRACT OF 1719 IN THE COSMO

INNESS OFFICE AND FURTHER REFERENCES IN DEED RD2.654 YEAR 1661 AND ANOTHER IN RD_81. 78 1696 ALSO DETAILS OF RELATIONSHIPS IN SIG.2.17 DATED 6 AUGUST 1787 CONCERNING LANDS IN ASSYNT DESTINATION FROM THESE PREDECESSORS IN RD2.242.1. BY WILLIAM WEMYSS TO ALEXANDER MACKENZIE DATED 29.01.1787 AND IN RH8.1100 DATED 1727 FURTHER INFORMATION RELATING TO LAND DEVOLMENT FROM ARDLOCH MACKENZIES HEIRS MALE OF TALZIE. IT IS NOTICED THAT BROTHERS COLONEL ALEXANDER MCKENZIE OF CONANSBAY AND ALEXANDER MACKENZIE OF ARDLOCH WHO DIED 21.5.1778 ARE BROTHERS TO KENNETH MACKENZIE XV1 4TH EARL OF SEAFORTH ONE OF THE BROTHERS JOHN MACKENZIE OF ASSYNTS HEIR, HIS SON TO HIS UNCLE FIRST HELD BY SIR DONALD MCDONALD, LANDS TROTTERNISH 13.02.1727 IN THE GREAT SEAL BARONY OF MCDONALD 10.12.1754 IN FAVOUR OF SIR DONALD MCDONALD BARONET.\PAR \PAR \PAR \PAR RS38.62 INVERNESSA DISPOSITION BY HANNAH FRASER RESIDING INVERNESS INFAVOUR OF JEAN MACKAY SUTHERLAND SISTER TO ELIZABETH BAILLIE SUTHERLAND SPOUSE OF LT.COL.JAMES SUTHERLAND OF UPPAT AND JEAN MCKAY SUTHERLAND A RELATION OF ELIZABETH BAILLIE WHOS NEPHEW IS JAMES SUTHERLAND MACKENZIE\cf2\PAR \TAB\PAR \TAB\PAR \TAB\PAR IN CS 239 M78. 7 JAMES SUTHERLAND MACKENZIE SON OF KATHARINE MACKENZIE WHO LIVED 7 INDIA STREET EDINBURGH COURT LITIGATION OF THE USE OF ARMORIAL ARMS UED BY JAMES SUTHERLAND MACKENZIE BELONGING TO HIS MOTHER KATHARINE SUTHERLAND.\PAR \PAR \TAB\PAR \PAR \TAB\PAR \TAB\PAR \PAR \TAB\PAR \PAR \TAB\PAR \cf0\LANG1033 GEORGE SACKVILLE SUTHERLAND MENTIONS 3 NEPHEWS IN RD5

382.180 DATED 12/3/1829 SRO EDINBURGH
GEORGE THE BROTHER OF COLONEL JAMES
SUTHERLAND OF UPPAT AND EWEN BAILLIE
WHO WAS A MAJOR GENERAL 23RD BENGAL
REGIMENT AND THE OTHER BROTHER ROBERT
SUTHERLAND WHO WAS MARRIED TO A
MURCHISON HER BROTHER KNOWN AS ROD
ERICK MURCHISON GEORGE SACKVILLE
SUTHERLAND NEPHEWS ARE DUNCAN FORBES
SUTHERLAND GEORGE MCKAY SUTHERLAND
AND JAMES SUTHERLAND WHO WAS MARRIED
TO GEORGINA M. MACKENZIE WHERE SERVICE
1875 IS REFERENCED IN ENCLOSED
ATTACHMENT. COLONEL JAMES SUTHERLAND
MARRIED INTO THE BAILLIES, ELIZABETH
BAILLIE OF CLYNE WHOS FATHER IS WILLIAM
BAILLIE OF ROSEHALL, WILLIAM MARRIED
ELIZABETH SUTHERLAND OF CLYNE A
KINSTARIE CADET SHE IS DAUGHTER OF
ALEXANDER SUTHERLAND OF CLYNE.
LT.COL. JAMES SUTHERLAND HAD KATHARINE
SUTHERLAND BORN 09/01/1773 GOLSPIE
SUTHERLAND WHO MARRIED COLONEL ROBERT
MCKENZIE COLONEL ROBERT MARRIED EARLIER
ON 01/05/1780 HARRIET ANN MACKENZIE
DAUGHTER OF DOCTOR ALEXANDER
MACKENZIE OF BAYFIELD IT WAS HARRIETS
SISTER ALEXIE MACKENZIE WHO MARRIED
JANUARY 1778 TO CAPTAIN SIMON BAILLIE,
MADRAS ESTABLISHMENT, HEIC AND HE IS SON
OF MAJOR WILLIAM BAILLIE AND CAN FIND IN
THE COMMISSARIOT OF EDINBURGH PROCESS
OF DIVORCE PAGE 883 19.03.1788 REFERENCE
X1X 12. ROBERT SUTHERLAND OF ST VINCENT IS
BROTHER TO KATHARINE SUTHERLAND AND
ARE PART BAILLIES ROSEHALL DESCENT,
ROBERT SUTHERLANDS GRANDFATHER IS SON
OF ALEXANDER BAILLIE OF DOCHFUR. ROBERT
SUTHERLANDS ELDER BROTHER GEORGE
SACKVILLE SUTHERLAND AND REFERENCED IN
CHANCERY REGISTER UNDER LISTING C5/1/35
GREAT SEAL. \PAR \TAB\TAB\TAB\PAR
\CF2\LANG2057\PAR \TAB\PAR

GD.305.1.62.2\PAR INSTRUMENT OF SASINE
PROCEEDING APON A PRECEPT IN THE
FOREGOING CHARTER IN FAVOUR OF THE SAID
KATHERINE MACKENZIE OF THE SAID TENEMENT
MILLMOUNT DATED AND RECORDED SASINES
EDINBURGH. SCOTTISH RECORD OFFICE.\PAR
\PAR GD.305.1.62.3\PAR EXTRACT DISPOSITION
BY KATHERINE SUTHERLAND/MACKENZIE IN
FAVOUR OF CROMARTY HEIRS AND THE
TENEMENT MILLMOUNT DATED 10.07.1840 AND
REGISTERED IN THE BOOKS OF COUNCIL AND
SESSION 05.08.1840 CONTACT REFERENCE
RD5.645.63. SCOTTISH RECORD OFFICE.\PAR
\PAR GD.305.1.62.7.\PAR RENUNCIATION BY
HENRY CHEYNE WS IN FAVOUR OF THE
FORESAID KATHERINE MACKENZIE OF
MILLMOUNT DISPOSITION GRANTED BY HER TO
HIM IN SECURITY FOR \A31350 FOR MILLMOUNT
HOUSE DATED 28.06.1840 AND RECORDED
GENERAL REGISTER OF SASINES EDINBURGH
20.07.1840. SEE REFERENCE RS38.2040.113
SASINE SCOTTISH RECORD OFFICE.\PAR \PAR
GD.305.1.62.6\PAR RENUNCIATION BY
ALEXANDER STEWART IN FAVOUR OF JOSEPH
GORDONFACTOR FOR THE DECEASED ROBERT
SUTHERLAND A BOND IN SECURITY DATED
19.07.1826 RECORDED GENERAL REGISTER OF
SASINES EDINBURGH 08.05.1840.\PAR \PAR
BOOKS COUNCIL AND SESSION\PAR DEED
RECORDED 12.03.1829 BY ROBERT
SUTHERLAND. SCOTTISH RECORD OFFICE
EDINBURGH.\PAR \PAR RD5.576.520 \PAR TRUST
BY ELIZABETH BAILIE SUTHERLAND 1831.
SCOTTISH RECORD OFFICE EDINBURGH.\PAR
\PAR RD5.405.415.\PAR ASSIGNMENT BY EWEN
BAILLIE SUTHERLAND 25.01.1830. SCOTISH
RECORD OFFICE EDINBURGH.\PAR \PAR
RD5.319.132\PAR FACTORY BY ROBERT
SUTHERLAND 02.11.1824. SCOTTISH RECORD
OFFICE EDINBURGH.\PAR \PAR
RD5.382.174.\PAR FACTORY BY ROBERT

SUTHERLAND SUBSCRIBED 14.09.1824.
 SCOTTISH RECORD OFFICE EDINBURGH.\PAR
 \PAR BOOKS OF COUNCIL AND SESSION.\PAR
 DEED BY ROBERT SUTHERLAND OF ST VINCENT
 RECORDED 15.07.1826 SCOTTISH RECORD
 OFFICE EDINBURGH.\PAR \PAR
 GD.305.1.61.8.\PAR INSTRUMENT OF SASINE
 PROCEEDING APON THE PRECEPT OF SASINE IN
 FAVOUR OF THE SAID ROBERT SUTHERLAND OF
 THE HOUSE AND GROUND MILLMOUNT DATED
 24.12.1822 RECORDED SASINES EDINBURGH
 21.01.1823 AND IN RS3.1262.260 SASINE
 SCOTTISH RECORD OFFICE EDINBURGH.\PAR
 \PAR GD.305.1.61.11.\PAR DISPOSITION AND
 ASSIGNATION BY JOSEPH GORDON EXECUTORS
 IN SCOTLAND OF THE SAID ROBERT
 SUTHERLAND OF ST VINCENT AND MILLMOUNT
 IN FAVOUR OF KATHERINE SUTHERLAND WIDOW
 OF COLONEL ROBERT MACKENZIE H.E.I.C AND
 HEIRS OF THE SAID TENEMENT DATED
 21.01.1830 REGISTERED IN BOOKS OF COUNCIL
 SESSION 12.03.1824 SCOTTISH RECORD OFFICE
 EDINBURGH.\PAR \PAR PUBLIC REGISTER OF
 SASINES PR.1801.149 REFERENCE\PAR MARY
 FREDERICA ELIZABETH STEWART MACKENZIE
 OF SEAFORTH SPOUSE TO JAMES ALEXANDER
 STUART OF SEAFORTH SASINE MENTIONS
 CASTLE STREET EDINBURGH IN SECURITY OF
 \A3500 BY ELIZABETH SUTHERLAND. SCOTTISH
 RECORD OFFICE EDINBURGH.\PAR \PAR PUBLIC
 REGISTER OF SASINES.\PAR ELIZABETH
 SUTHERLAND DATED 21.07.1797 AND
 02.03.1809 AND 21.02.1810 RECORDED ALSO IN
 THE BOOKS OF COUNCIL AND SESSION
 10.03.1809. SCOTTISH RECORD OFFICE
 EDINBURGH.\PAR \PAR PUBLIC REGISTER OF
 SASINES.\PAR SOPHIA DIROM RELICT OF
 GEORGE DUFF ON DISPOSITION BY ELIZABETH
 SUTHERLAND RELICT OF COL JAMES
 SUTHERLAND OF UPPAT 04.06.1811 SCOTTISH
 RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS
 OF COUNCIL AND SESSION.\PAR ST VINCENT
 DEED RECORDED RD5.21.273 SCOTTISH

RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS
OF COUNCIL AND SESSION\PAR DEED BY
GEORGE SACKWELL SUTHERLAND
RD5.044.926\TAB 31.01.1814\TAB SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR PUBLIC
REGISTER OF SASINES\PAR RS38.17
VOLUME2307 IN FAVOUR OF KATHERINE
SUTHERLAND SCOTTISH RECORD OFFICE
EDINBURGH\PAR \PAR \PAR PUBLIC RECORD OF
SASINES\PAR PR.589.25 16.06.1807 FRANCIS,
LORD SEAFORTH, MARY MAXWELL
SUTHERLAND SPOUSE TO ALEXANDER
SUTHERLAND 2 BATTALION 78TH REGIMENT
FOOT AND GEORGE SACKWELL SUTHERLAND
SEISED GEORGE STREET EDINBURGH AND
SOUTH CASTLE STREET EDINBURGH IN \A3500
SECURITY SCOTTISH RECORD OFFICE
EDINBURGH.\PAR \PAR PUBLIC REGISTER OF
SASINES\PAR PR.589.17 DATED 16.06.1807
ELIZABETH SUTHERLAND RELICT OF JAMES
SUTHERLAND OF UPPAT SCOTTISH RECORD
OFFICE EDINBURGH.\PAR \PAR PUBLIC
REGISTER OF SASINE\PAR DATED 23.12.1803
BOND BY COLONEL JAMES SUTHERLAND AND
ELIZABETH BAILLIE SCOTTISH RECORD OFFICE
EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND
SESSION\PAR DALRYMPLE OFFICE RD 293.290
MARY MAXWELL SUTHERLAND DAUGHTER OF
LT.COL JAMES SUTHERLAND OF UPPATAND
HUSBAND ALEXANDER SUTHERLAND 5
REGIMENTBRITISH MILITIA AND REFERENCE TO
MAJOR EWAN BAILIE H.E.I.C A BOND 12.07.1803
SCOTTISH RECORD OFFICE EDINBURGH.\PAR
\PAR BOOKS OF COUNCIL AND SESSION\PAR
RD2.288 DATED 12.07.1803 A BOND BY MAJOR
EVAN BAILIE TO KATHERINE SUTHERLAND
ELDEST DAUGHTER OF COLONEL JAMES
SUTHERLAND OF UPPAT AND ELIZABETH
BAILLIE AND KATHERINE SUTHERLAND SECOND
WIFE OF LIEUTENANTCOLONEL ROBERT
MACKENZIE H.E.I.C FATHER OF ALEXANDER

MACKENZIE BROTHER OF JAMES SUTHERLAND
 MACKENZIE. SCOTTISH RECORD OFFICE
 EDINBURGH.\PAR \PAR RS38.17 DATED
 23.12.1803\PAR COLONEL JAMES SUTHERLAND
 OF UPPAT AND OF SUTHERLAND FENCIBLES
 REGIMENT AND MAJOR GENERAL ALEXANDER
 OF 36 REGIMENT FOOT AND LT.COL.JAMES
 SUTHERLAND GRANTING \A31000 TO
 ELIZABETH SUTHERLAND TO FRANCIS, LORD
 SEAFORTH. SCOTTISH RECORD OFFICE
 EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND
 SESSION\PAR RD3.292 DATED 22.07.1801
 FACTORY BY ROBERT SUTHERLAND SCOTTISH
 RECORD OFFICE EDINBURGH.\PAR PUBLIC
 REGISTER OF SASINE\PAR RS38.17.212
 REFERENCE KATHERINE SUTHERLAND GETS
 LIFERENT FROM ELIZABETH BAILLIE SCOTTISH
 RECORD OFFICE EDINBURGH.\PAR \PAR PUBLIC
 REGISTER OF SASINES\PAR IN FAVOUR OF
 ELIZABETH BAILLIE DATED AND REGISTERED
 13.08.1796 BY COLONEL MACKAY TO GEORGE
 SACKWELL SUTHERLAND SCOTTISH RECORD
 OFFICE EDINBURGH.\PAR \PAR BOOKS OF
 COUNCIL AND SESSION\PAR RD2.277 DATED
 26.11.1799 BOND \A31000 PAID BY
 LIEUTENANT COLONEL JAMES MACKAY AND
 HUGH BAILIE OF ROSEHALL TO JAMES
 SUTHERLAND DATED 27.04.1789 AND MENTION
 OF \A3400 TO F.H.MACKENZIE OF SEAFORTH
 HIGHLANDERS 78TH REGIMENT FROM
 LIEUTENANT ALEXANDER SUTHERLAND
 SCOTTISH RECORD OFFICE EDINBURGH.\PAR
 \PAR BOOKS OF COUNCIL AND SESSION\PAR
 DURIE OFFICE RD3.292.907 FACTORY BY
 ROBERT SUTHERLAND OF ISLAND OF ST
 VINCENT APPOINTING ELIZABETH BAILLIE HIS
 MOTHER AS FACTOR AND ESTATE OF ROSEHALL
 GRANTED BY GEORGE LANGWELL SUTHERLAND
 OF UPPAT IN FAVOUR OF ELIZABETH
 BAILIE/SUTHERLAND SCOTTISH RECORD
 OFFICE EDINBURGH.\PAR \PAR BOOKS OF
 COUNCIL AND SESSION\PAR DARYMPLE OFFICE
 RD2.277.418 DATED 06.09.1799 BOND

DISPOSITION A SUTHERLAND TO MACKENZIE WITH CONCENT OF COLONEL MACKAY OTHERWISE KNOWN AS HUGH BAILLIE OF ROSEHALL BY BOND DATED 23.12.1790 SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND SESSION\PAR RD3.260.303 GEORGE SACKVILLE SUTHERLAND TO JOHN MO SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND SESSION\PAR AT FORTROSE 19.11.1794 BY MARY MAXWELL SUTHERLAND TO FRANCIS HUMBERSTON MACKENZIE AND BY GEORGE SACKWELL SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR PRECEPT OF CLARE CONSTAT\PAR GRANTED BY COLONEL MACKAY OTHERWISE HUGH BAILLIE OF ROSEHALL REGISTERED INVERNESS 1796 SCOTTISH RECOR OFFICE EDINBURGH.\PAR \PAR PUBLIC REGISTER OF SASINE\PAR RS38.13 DATED 14.08.1788 ROBERT SUTHERLAND TO ELIZABETH COUNTES OF SUTHERLAND RECORDED INVERNESS 11.09.1779 WRITTEN BY KENNETH MACKENZIE CLERK TO ALEXANDER MACKENZIEWRITER TO THE SIGNET \TAB SUBSCRIBED AT GOLSPIE 31.07.1780 BEFORE HUGH HOUSTON MERCHANT BORA AND JOH FRASE WRITE IN EDINBURGH. SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND SESESSION\PAR BOND RD3.275 DATED 23.12.1790 A SUM OF \A32000 AND \A3400 TO GEORGE SACKWELL SUTHERLAND SON OF LIEUTENANT COLONEL JAMES SUTHERLAND REFERENCING IN THE \TAB GREAT SEAL A CHARTER 13.07.1788 AND A SASINE \TAB AT INVERNESS 28.04.1791 SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR SERVICE OF HEIRS CHANCERY\PAR GEORGE LACKWELL SUTHERLAND OF UPPAT TO HIS FATHER LT.COL. JAMES SUTHERLAND OF UPPAT DATED 03.01.1793 RECORD NO 16 DATE 1790 ON PAGE 48 SCOTTISH RECORD OFFICE

EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND
SESSION\PAR DEED BY ROBERT SUTHERLAND
OF ST VINCENT RS38.13 PAGES
14,1092,230,317,340,349 AND 490 SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR
CROMARTY MUNIMENTS\PAR GD46.1.50 DATED
16.06.1829 MRS ELIZABETH SUTHERLAND
WIDOW OF LIEUTENANT COLONEL JAMES
SUTHERLAND OF UPPAT SCOTTISH RECORD
OFFICE EDINBURGH.\PAR \PAR SERVICE OF
HEIRS CHANCERY\PAR 1740-1759 DATED
15.05.1752 AND 18.09.1752 ELIZABETH BAILLIE
DAUGHTER OF JAMES BAILLIE MERCHANT
ABERDEEN TO HER BROTHER JAMES BAILLIE AT
MILLTOWN OF TARBET ONCE MERCHANT
ROTTERDAM WHO DIED MARCH 1747 HEIR
PORTION PARISH KILMUIR EASTER ROSSHIRE
SCOTTISH RECORD OFFICE EDINBURGH.\PAR
\PAR SERVICE OF HEIRS CHANCERY\PAR
GEORGE SACKVILLE SUTHERLAND OF UPPAT TO
HIS FATHER COLONEL JAMES SUTHERLAND OF
UPPAT 03.01.1793 AND 15.01.1793 NO 16
SCOTTISH RECORD OFFICE EDINBURGH.\PAR
\PAR \cf1 SERVICE OF HEIRS CHANCERY\PAR
GEORGE SACKVILLE SUTHERLAND MD
LACKNOW TO HIS MOTHER GEORGINA M.
MACKENZIE WIDOW OF JAMES SUTHERLAND OF
ST VINCENT WHO DIED 20.12.1864 HEIR
GENERAL 15.05.1875.\cf2\PAR \PAR \TAB\PAR
\PAR \TAB\PAR \PAR \TAB\PAR \PAR \TAB\PAR
\PAR \TAB\PAR \PAR \TAB\PAR \PAR \TAB\PAR
\PAR \TAB\PAR \PAR \TAB\PAR \TAB\PAR \PAR
\PAR \PAR \PAR \TAB\PAR \PAR \TAB\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR \PAR
\TAB\PAR \TAB\PAR \PAR \PAR \TAB\PAR
\TAB\PAR \TAB\PAR \TAB \PAR \TAB\PAR
\TAB\PAR \TAB\PAR \TAB\PAR \TAB\PAR \PAR
\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR
\PAR \TAB\CF3\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\PAR \PAR \TAB\PAR
\TAB\PAR \TAB\PAR \TAB\PAR \TAB \PAR
\TAB\PAR \TAB\PAR \TAB\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR

2 COLONEL ROBERT MACKENZIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\D\B\F0\FS16\tAB RD 13/149/BOX657. DATE 31/JULY 1809\PAR \TAB DISPOSITION AND DEED OF SETTLEMENT BY COLONEL ROBERT MACKENZIE\PAR \TAB 26 NOVEMBER 1802 WB OFFICE 31/07/1809\PAR \TAB PRESENTED BY JOSEPH GORDON\PAR \TAB MR THOMAS THOMSON ADVOCATE 5 SHEETS.\PAR \PAR \PAR \TAB I COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE EAST \PAR \TAB INDIA COMPANY FOR THE LOVE FAVOUR AND AFFECTION WHICH I HAVE AND\PAR \TAB BEAR TO ALEXANDER MACKENZIE MY SON PROCREATED OF THE MARRIAGE\PAR \TAB BETWEEN ME AND MRS KATHARINE SUTHERLAND NOW MACKENZIE MY WIFE\PAR \TAB AND OTHER GOOD CAUSES AND CONSIDERATIONS MOVING ME DO BY THESE\PAR \TAB PRESENTS IN THE EVENT OF MY DECEASE GIVE GRANT AND DISPONE TO AND\PAR \TAB IN FAVOUR OF THE SAID ALEXANDER MACKENZIE MY SON AND THE HEIRS \PAR \TAB WHATSOEVER OF HIS BODY WHOM FAILING TO THE HEIRS WHATSOEVER OF MY\PAR \TAB BODY WHOM FAILING TO ROBERT MACKENZIE LIEUTENANT IN THE MAHRATTA\PAR \TAB SERVICE MURDOCK MACKENZIE SON OF KATHARINE MCLEOD IN ASSYNT IN \PAR \TAB THE COUNTY OF SUTHERLAND AND HUME MACKENZIE LIEUTENANT IN THE \PAR \TAB SERVICE OF THE HONOURABLE EAST INDIA COMPANY ON THE MADRAS\PAR \TAB ESTABLISHMENT ALL THREE MY NATURAL SONS EQUALLY AMONG THEM AND\PAR \TAB THE

HEIRS WHATSOEVER OF THEIR BODIES AND
FAILING ANY ONE OR TWO \PAR \TAB OF THEM
AND THE HEIRS WHATSOEVER OF THEIR BODIES
TO THE OTHER ONE \PAR \TAB OR TWO OF THEM
EQUALLY BETWEEN THEM IF TWO AND THE
HEIRS \PAR \TAB WHATSOEVER OF HIS OR THEIR
BODIES WHOM ALL FAILING TO MY OWN \PAR
\TAB NEAREST AND LAWFUL HEIRS AND
ASSIGNEES WHATSOEVER ALL AND \PAR \TAB
SUNDRY LANDS HERITAGES ANNUAL RENTS
TEINDS ADJUDICATIONS \PAR \TAB REVERSIONS
WOODS MILLS FISHINGS TACKS HEADING AND
POSSESSION \PAR \TAB BELONGING TO ME OR
WHICH SHALL BELONG TO ME AT MY DEATH
AS \PAR \TAB ALSO ALL AND SUNDRY DEBTS
AND SUMS OF MONEY BOTH HERITABLE AND
\PAR \TAB MOVEABLE DUE AND OWING OR
WHICH SHALL BE DUE AND OWING BY ANY \PAR
\TAB PERSON OR PERSONS TO ME AT MY DEATH
BY BOND BILL DECREE ACCOUNT \PAR \TAB
PREMISE OR FACTION AS RENT OF LANDS OR
ANNUAL RENTS OF MONEY OR IN \PAR \TAB ANY
OTHER MANNER OF WAY WHATSOEVER WITH
THE WHOLE VOUCHERS \PAR \TAB
INSTRUCTIONS AND CONVEYANCES THEREOF
WRITS AND DEEDS GRANTED \PAR \TAB AND
DILIGENCE AND EXECUTION ISSUED AND
OBTAINED FOR PAYMENT AND \PAR \TAB
SECURITY OF THE SAME AND ALSO ALL AND
SUNDRY CORNS CATTLE HORSE \PAR \TAB
SHEEP HOUSEHOLD PLENISHINGS AND
FURNITURE INCLUDING BED AND \PAR \TAB
TABLE LINEN SILVER PLATE JEWELS TRINKETS
BANK NOTES GOLD AND SILVER \PAR \TAB
COINED AND UNCOINED AND LYING MONEY
CLOATHS BOOKS AND OTHER \PAR \TAB
MOVEABLE GOODS GEAR AND EFFECTS OF
WHATSOEVER NATURE OR \PAR \TAB
DENOMINATION INCLUDING HEIRSHIP

MOVEABLE BELONGING OR THAT MAY \PAR \TAB
BELONG TO ME AT MY DEATH WHEREVER OR IN
WHOSE CUSTODY SOEVER \PAR \TAB THE SAME
MAY THEN BE DISPENSING WITH THE
GENERALITY HEREOF AND \PAR \TAB
DECLARING THESE PRESENTS TO BE EQUALLY
GOOD AND EFFECTUAL \PAR \TAB TO ALL
INTENTS AND PURPOSES AS IF THE SAID LANDS
HERITAGES \PAR \TAB MOVEABLE DEBTS AND
OTHERS HEREBY CONVEYED WERE HEREIN \PAR
\TAB PARTICULARLY SPECIFIED AND
ENUMERATED DECLARING ALWAYS AS IT IS \PAR
\TAB WHEREBY EXPRESSLY PROVIDED AND
DECLARED THAT THE SAID ALEXANDER \PAR
\TAB MACKENZIE MY SON AND THE OTHER HEIRS
SUBSTITUTES AND SUCCESSORS \PAR \TAB
BEFORE NAMED IN THEIR ORDER SHALL BE
BOUND AND OBLIGED TO CONTENT \PAR \TAB
AND PAY MY FUNERAL EXPENSES AND ALL MY
JUST AND LAWFUL DEBTS \PAR \TAB AND
PARTICULARLY WITHOUT PREDUDICE TO THE
SAID GENERALITY THE \PAR \TAB PREVIOUS
CONTAINED IN A CONTRACT OF MARRIAGE
ENTERED INTO BETWEEN \PAR \TAB ME ON THE
ONE PART AND THE SAID KATHERINE
SUTHERLAND NOW MACKENZIE \PAR \TAB MY
WIFE ELDEST LAWFUL DAUGHTER OF THE
DECEAST COLONEL JAMES \PAR \TAB
SUTHERLAND OF UPPAT WITH THE ADVICE AND
CONCENT OF CAPTAIN GEORGE \PAR \TAB
SACKVILLE SUTHERLAND OF UPPAT HER
BROTHER GERMAN ON THE OTHER \PAR \TAB
PART DATED THE 15/07/1801 WHICH
PROVISIONS WERE CONCEIVED IN FAVOUR \PAR
\TAB OF THE SAID KATHERINE SUTHERLAND
NOW MACKENZIE MY WIFE AS WELL \PAR \TAB
OF THE CHILDREN TO BE PROCREATED OF THE
MARRIAGE DECLARING THAT \PAR \TAB THE
SAID ALEXANDER MACKENZIE MY SON SHALL BE
ENTITLED TO THE FULL \PAR \TAB BENIFIT OF

THE PROVISIONS CONTAINED IN THE SAID CONTRACT IN SO \PAR \TAB FAR AS THE SAME MAY BE INTERPRETED IN HIS FAVOUR OVER AND ABOVE\PAR \TAB WHAT HE MAY DRAW FROM MY ESTATE REAL AND PERSONAL IN VIRTUE \PAR \TAB OF THESE PRESENTS THE SAME BEING MADE AND GRANTED WITHOUT\PAR \TAB PREJUDICE TO THE ABOVE MENTIONED PREVIOUS IN ANY MANNER OF WAY\PAR \TAB AS ALSO MY SAID SON AND THE OTHER HEIRS SUBSTITUTING AND\PAR \TAB SUCCESSORS BEFORE MENTIONED SHALL BE BOUND TO PAY THE\PAR \TAB FOLLOWING LAGACIES VIZ. WHEREAS BY THE SAID CONTRACT OF MARRIAGE\PAR \TAB AMONG OTHER PROVISIONS CONCEIVED IN FAVOUR OF THE SAID KATHARINE\PAR \TAB SUTHERLAND NOW MACKENZIE MY WIFE IT WAS DECLARED THAT IN THE EVENT\PAR \TAB OF MY PREDECEASING THE SAID KATHERINE SUTHERLAND NOW MACKENZIE\PAR \TAB MY WIFE AND THAT AT THE DISSOLUTION OF THE MARRIAGE BY MY DECEASE\TAB\PAR \TAB OR OTHERWISE THERE SHOULD BE NO CHILD OR CHILDREN EXISTING \PAR \TAB THEREOF AT THE TIME THEN AND IN THAT CASE I PROVIDED HEREIN AND\PAR \TAB SHE WAS ENTITLED TO RECEIVE AND WAS THEREBY EMPOWERED TO\PAR \TAB DEMAND AND RECEIVE THE INTEREST OF SIX THOUSANT POUNDS STERLING\PAR \TAB PROVIDED TO THE CHILDREN OF THE MARRIAGE IN MANNER THEREIN\PAR \TAB MENTIONED NOW IN CASE THE SAID EVENTUAL PROVISION SHOULD BE\PAR \TAB VACATED IN CONSEQUENCE OF THE EXISTENCE OF A CHILD OR CHILDREN\PAR \TAB PROCREATED OF THE MARRIAGE WHO MAY SURVIVE ME THEN AND\PAR \TAB IN THAT EVENT I HEREBY GIVE AND BEQUEATH TO THE SAID KATHARINE\PAR \TAB SUTHERLAND NOW

MACKENZIE MY WIFE THE SUM OF TWO THOUSANT\PAR \TAB POUNDS STERLING THEN TO THE SAID HUME MACKENZIE MY NATURAL\PAR \TAB SON I GIVE AND BEQUEATH THE SUM OF FIVE HUNDRED POUNDS STERLING\PAR \TAB THEN TO THE SAID ROBERT MACKENZIE MY NATURAL SON THE SUM\PAR \TAB OF THREE HUNDRED POUNDS STERLING THEN TO THE SAID MURDOCH\PAR \TAB MACKENZIE MY NATURAL SON THE LIKE SUM OF THREE HUNDRED \PAR \TAB POUNDS STERLING THEN TO FRANCES MACKENZIE NOW GUNN MY\PAR \TAB NATURAL DAUGHTER THE SUM OF TWO HUNDRED POUNDS STERLING\PAR \TAB THEN TO MARIA MACKENZIE NOW MACAULY MY NATURAL DAUGHTER\PAR \TAB THE LIKE SUM OF TWO HUNDRED POUNDS STERLING THEN TO COLONEL\PAR \TAB LOUIS GRANT OF ACHUINACH LATE IN THE SERVICE OF THE HONOURABLE\PAR \TAB EAST INDIA COMPANY THE SUM OF THREE HUNDRED POUNDS STERLING\PAR \TAB THEN TO CAPTAIN CHARLES GRANT IN THE SERVICE OF THE HONOURABLE\PAR \TAB EAST INDIA COMPANY ON THE BENGAL ESTABLISHMENT THE LIKE\PAR \TAB SUM OF THREE HUNDRED POUNDS STERLING THEN TO MRS ELIZABETH\PAR \TAB SUTHERLAND WIDOW OF THE SAID COLONEL JAMES SUTHERLAND AND\PAR \TAB MOTHER OF THE SAID KATHARINE SUTHERLAND NOW MACKENZIE\PAR \TAB WIFE THE SUM OF FIVE HUNDRED POUNDS STERLING AND MY SAID SON\PAR \TAB AND THE OTHER HEIRS SUBSTITUTING AND SUCCESSORS BEFORE\PAR \TAB MENTIONED SHALL BE BOUND TO PAY THE SAID SEVERAL LAGACIES\PAR \TAB AT THE FIRST TERM OF WHITSUNDAY OR MARTINMAS AFTER MY DEATH\PAR \TAB WITH A FIFTH PART MORE OF PENALTY IN CASE OF FAILURE AND THE \PAR \TAB LEGAL INTEREST OF THE SAID

SUMS RESPECTIVELY FROM THE SAID \PAR \TAB
TERM OF PAYMENT UNTIL PAID DECLAIRING
THAT THE JUS MARITI \PAR \TAB AND RIGHT OF
ADMINISTRATION OF THE HUSBANDS OF THE
SAID \PAR \TAB FRANCIS MACKENZIE NOW GUNN
AND OF THE SAID MARIA MACKENZIE \PAR \TAB
NOW MACAULY IS HEREBY EXPRESSLY
SECLUDED AND DEBARRED IN SO \PAR \TAB FAR
AS CONCERNS THE SAID LEGACIES PENALTIES
AND INTEREST \PAR \TAB AND FOR CARRYING
THESE PRESENTS INTO MORE EFFECTUAL \PAR
\TAB EXECUTION I HEREBY NOMINATE AND
APPOINT THE SAID ALEXANDER \PAR \TAB
MACKENZIE MY SON WHOM FAILING THE SAID
KATHARINE SUTHERLAND \PAR \TAB NOW
MACKENZIE MY WIFE THE SAID GEORGE
SACKVILLE SUTHERLAND \PAR \TAB THE SAID
LOUIS GRANT THE SAID CHARLES GRANT
COLONEL WILLIAM \PAR \TAB DUNCAN IN THE
SERVICE OF THE HONOURABLE EAST INDIA
COMPANY \PAR \TAB CAPTAIN HENRY WHITE IN
THE SERVICE OF THE HONOURABLE EAST \PAR
\TAB INDIA COMPANY ON THE BENGAL
ESTABLISHMENT AND NOW OR LATELY \PAR
\TAB AIDE DE CAMP TO HIS EXELLENCY
MARQUISE WELLESLEY GOVERNOR \PAR \TAB
GENERAL OF BENGAL AND COLIN MACKENZIE
WRITER TO THE SIGNET \PAR \TAB AND THE
ACCEPTING SURVIVORS OR SURVIVOR OF THEM
TO BE MY \PAR \TAB SOLE EXECUTORS
EXCLUDING MY NEAREST OF KIN AND ALL
OTHERS \PAR \TAB FROM THE SAID OFFICE
MOREOVER AS I JUDGE IT PRUDENT TO
NAME \PAR \TAB TUTORS AND CURATORS TO THE
SAID ALEXANDER MACKENZIE \PAR \TAB MY SON
OR TO ANY OTHER CHILD OR CHILDREN WHO
MAY BE \PAR \TAB PROCREATED OF THE SAID
MARRIAGE BETWEEN ME AND THE \PAR \TAB
SAID KATHARINE SUTHERLAND NOW

MACKENZIE AND HAVING \PAR \TAB ENTIRE
CONFIDENCE IN THE SAID KATHARINE
SUTHERLAND \PAR \TAB NOW MACKENZIE MY
WIFE GEORGE SACKVILLE SUTHERLAND \PAR
\TAB LOUIS GRANT CHARLES GRANT WILLIAM
DUNCAN HENRY WHITE \PAR \TAB AND COLIN
MACKENZIE DO HEREBY NOMINATE AND
APPOINT \PAR \TAB THEM AND THE ACCEPTING
SURVIVORS OR SURVIVOR OF \PAR \TAB THEM TO
BE TUTORS AND CURATORS TO THE SAID
ALEXANDER \PAR \TAB MACKENZIE MY SON AND
TO SUCH OTHER CHILD OR CHILDREN \PAR \TAB
AS MAY BE PROCREATED OF THE SAID
MARRIAGE DURING \PAR \TAB THE WHOLE
PERIOD OF THEIR RESPECTIVE PUPILARITIES
AND MINORITIES \PAR \TAB DECLARING THAT
THE MAJORITY OF THE PERSONS BEFORE
NAMED \PAR \TAB ACCEPTING AND ALIVE AT THE
TIME OR ANY ONE OF THEM \PAR \TAB
ACCEPTING AND SURVIVING THE LEAST SHALL
BE A QUORUM AND \PAR \TAB DECLAIRING ALSO
THAT THEY SHALL NOT AS TUTORS OR
CURATORS \PAR \TAB BE LIABLE FOR OMISSIONS
NOR SINGULI IN SOLIDUM BUT EACH \PAR \TAB
ONLY FOR HIS OWN ACTUAL INTROMISSIONS
AND THAT IT SHALL \PAR \TAB BE IN THE POWER
OF THE PERSONS BEFORE NAMED TO
ACCEPT \PAR \TAB THE OFFICE OF TUTOR AND
RENOUNCE THE OFFICE OF CURATOR \PAR \TAB
AND I HEREBY REVOKE ALL FORMER
DISPOSITION AND SETTLEMENT \PAR \TAB
LEGACIES CODICALS AND OTHER
TESTAMENTARY DEEDS MADE \PAR \TAB OR
GRANTED BY ME IN FAVOR OF WHATEVER
PERSON OR PERSONS \PAR \TAB PRECEEDING
THE DATE HEREOF AND DECLARE THIS TO BE MY
LAST \PAR \TAB WILL AND TESTAMENT
RESERVING ALWAYS TO MYSELF FULL \PAR \TAB
POWER AND LIBERTY AT ANY TIME OF MY
LIFE \PAR \TAB EVEN IN SICKNESS OR ON

DEATHBED TO EVOKE ALTER AND
INNOVATE\PAR \TAB THESE PRESENTS IN
WHOLE OR IN PART OR TO CANCEL THE
SAME\PAR \TAB AT PLEASURE BUT IF I SHALL
NOT THINK FIT SO TO DO THESE PRESENTS\PAR
\TAB SHALL BE EFFECTUAL THOUGH FOUND IN
MY CUSTODY OR IN THE CUSTODY\PAR \TAB OF
ANY OTHER PERSON TO WHOM I MAY ENTRUST
THE SAME UNDELIVERED\PAR \TAB AT MY
DEATH WITH THE DELIVERY WHEREOF I HEREBY
DISPENSE AND\PAR \TAB CONSENT TO THE
REGISTRATION HEREOF IN THE BOOKS OF
COUNCIL AND \PAR \TAB SESSION OR OTHERS
COMPETENT THEREIN TO REMAIN FOR
PRESERVATION\PAR \TAB AND THERETO
CONSTITUTE\PAR \PAR \TAB MY PROCURATORS
IN WITNESS.\PAR \TAB WHEREOF SUBSCRIBE
THESE PRESENTS WRITTEN ON THIS AND THE
TWO \PAR \TAB PRECEDING PAGES OF
STAMPED PAPER BY WILLIAM MACKENZIE
CLERK TO\PAR \TAB ALEXANDER AND COLIN
MACKENZIE WRITERS TO THE SIGNET ON
EACH\PAR \TAB PAGE AT EDINBURGH THE
26/11/1802 BEFORE THESE WITNESSES
THE\PAR \TAB SAID ALEXANDER MACKENZIE
WRITER TO THE SIGNET AND THE SAID \PAR \TAB
WILLIAM MACKENZIE WRITER HEREOF.\PAR
\TAB ROBERT MCKENZIE\PAR \TAB ALEXANDER
MACKENZIE \TAB WITNESS\PAR \TAB WILLIAM
MACKENZIE \TAB WITNESS\PAR }

3 JAMES SUTHERLAND MACKENZIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}\F1\FSWISS\FCHARSET0 ARIAL;}}{\COLORTBL ;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE128;\RED0\GREEN0\BLUE255;}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PARD\CF1\F0\F5 16 ASSIGNATION BY SIR JAMES SUTHERLAND MACKENZIE BT TO JOSEPH WILIAM FORBES ESQ EDINBURGH 5TH SEPTEMBER 1851 \PAR I SIR JAMES SUTHERLAND MACKENZIE OF TARBAT BARONET PRESENTLY RESIDING IN LONDON CONSIDERING THAT I AM INDEBTED TO JOSEPH WILLAIM FORBES ESQUIRE PRESENTLY RESIDING AT HARTFIELD COTTAGE NEAR TAIN IN THE SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AS CONTAINED IN MY PROMISSORY NOTE TO HIM OF EQUAL DATE WITH THESE PRESENTS AND PAYABLE TWELVE MONTHS AFTER DATE AND ALSO CONSIDERING THAT AS A CONDITION OF THE SAID JOSEPH WILLIAM FORBES ADVANCING THE FORESAID SUM TO ME IT WAS AGREED THAT I SHOULD GRANT TO HIM THE ASSIGNATION UNDER WRITTEN THEREFOR AND FOR THE SAID JOSEPH FORBES HIS FARTHER SECURITY OF THE PAYMENT OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AND INTEREST THEREON AND EXPENCES AS AFTER STATED THEREBY MAKE AND CONSTITUTE THE SAID JOSEPH

WILLIAM FORBES AND HIS HEIRS EXECUTORS OR ASSIGNEES MY LAWFUL SESSIONERS AND ASSIGNEES NOT ONLY IN AND TO THE SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS AND FIVE PENCE ONE THIRD OF A PENNY STERLING CONTAINED IN A BOND DATED THE NINETEENTH DAY OF FEBRUARY AND EIGHTEENTH DAY OF MARCH BOTH IN THE YEAR EIGHTEEN HUNDRED AND THIRTY FIVE GRANTED BY JOHN HAY MACKENZIE OF CROMARTY ESQUIRE ONLY SON OF THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND THE SAID MRS MARIA MURRAY HAY MACKENZIE TO THE DECEASED SIR ALEXANDER MACKENZIE OF TARBAT BARONET MY FATHER WHOM FAILING TO THE PARTIES THEREIN MENTIONED AND TO WHICH I HAVE NOW THE RIGHT AND TO THE INTEREST DUE OR THAT MAY BECOME DUE THEREON FROM AND AFTER THE TERM OF WHITSUNDAY LAST WITH LIQUIDATE PENALTY AND TERMLY FAILURES THEREIN SPECIFIED AND ALSO IN AND TO THE SUM OF ONE THOUSAND AND FIFTY POUNDS STERLING CONTAINED IN AND DUE BY A BILL DRAWN BY JOSEPH GORDON WRITER TO THE SIGNET AND ALEXANDER STUART WRITER IN EDINBURGH FOR BEHOOF OF ME AND THE HEIRS SUCCEEDING TO ME AS THEREIN STATED UPON AND ACCEPTED BY MESSIEURS J.R. BOWINE AND COMPANY PEAK ALUM WORKS THOMAS RYMER BOWINE ESQUIRE AND CHARLES LIDDEL ESQUIRE NEAR WHITBY CONJUNCTLY AND SEVERALLY WHICH BI IS DATED THE TWELVE DAY OF MAY EIGHTEEN HUNDRED AND FORTY SEVEN AND IS PAYABLE TWELVE MONTHS AFTER DATE BUT ALSO IN AND TO THE SAID BOND AND BILL THEMSELVES WHOLE TENOR AND CONTENTS THEREOF WITH ALL THAT BHAS FOLLOWED OR IS COMPETENT TO FOLLOW

THEREON SURROGATING AND SUBSTITUTING THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS IN MY FULL RIGHT AND PLACE OF THE PREMISES WITH FULL POWER TO HIM AND THEM TO DEMAND SUE FOR AND RECOVER PAYMENT OF THE SUMS THEREBY DUE TO GRANT RECEIPTS AND DISCHARGE WHICH SHALL BE SUFFICIENT TO THE RECEIVER AND ASSIGNATIONS TRANSLATIONS AND CONVEYANCES OF THE SAID BOND AND BILL ON PAYMENT THEREOF BEING RESPECTIVELY MADE AND GENERALLY TO DO EVERY OTHER THING IN THE PREMISES WHICH I COULD HAVE DONE BEFORE GRANTING HEREOF WHICH ASSIGNATION I BIND AND OBLIGE MYSELF MY HEIRS EXECUTORS AND SUUCCESSORS TO WARRANT TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS FROM ALL FACTO AND DEEDS DONE OR TO BE DONE BY ME IN PREJUDICE HEREOF DECLAIRING ALWAYS THAT THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS SHALL BE BOUND AND OBLIGED AS BY ACCEPTATION HEREOF THEY BIND AND OBLIGE THEMSELVES TO HOLD JUST COUNT AND RECKONING WITH ME AND MY FORESAIDS SUMS THEY MAY RECOVER IN VIRTUE OF THE SAID BOND AND BILL RESPECTIVELLY ABOVE ASSIGNED AND TO IMPUTE THE SAME PROTANTO IN EXTINCTION OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING INTEREST WHICH MAY BECOME DUE THEREON AND EXPENCES WHICH MAY BE INCURRED BY THEM AS AFTER STATED AND FARTHER DECLARING THAT THEY SHALL BE BOUND AND OBLIGED ON THEIR RECEIVING PAYMENT IN VIRTUE OF THIS ASSIGNATION IN SECURITY OF THE WHOLE OF THE SUMS OF PRINCIPAL INTEREST AND EXPENCES AS SAID IS OR ON PAYMENT BY ME OR MY FORESAIDS TO THEM OF THE SAME AND OF ALL EXPENCES AS THE SAME

MAY BE DISBURSED OR INCURRED BY THEM TO THEIR OWN AGENTS IN RECOVERING PAYMENT OF THE FORESAID PRINCIPAL SUM AND INTEREST WHICH MAY BECOME DUE THEREON AND AS THE SAME SHALL BE ASCERTAINED BY THEIR WRIT OR OATH TO ME AND MY FORESAIDS AT OUR EXPENSE IN THE FULL RIGHT OF THE BOND AND BILL SUMS THEREBY DUE ASSIGNED IN SECURITY AS AFORESAID OR TO MAKE PAYMENT TO US OF ANY BALANCE THAT MAY REMAIN IN THEIR HANDS AFTER DEDUCTING THE SAID SUMS AND I BIND AND OBLIGE MYSELF AND MY FORESAIDS TO MAKE THE SAID BOND AND BILL FORTHCOMING TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS TO BE KEPT AND USED BY THEM AS THEIR OWN PROPER WRITS AND EVIDENTS IN TIME COMING AND I CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND SESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION AND IF NECESSARY THAT LETERS OF HORNING ON SIX DAYS CHARGE AND ALL OTHER LEGAL EXECUTION MAY PASS UPON A DECRET TO BE INTERPONED HERETO IN FORM AS EFFECTS AND FOR THAT EFFECT I CONSTITUTE MY PROCURATORS IN WITNESS WHEREOF I HAVE SUBSCRIBED THESE PRESENTS WRITEN ON THIS AND THE PRECEDING PAGE OF STAMPED PAPER BY ALEXANDER DAVIDSON VEITCH APPRENTICE TO WILIAM MASON SOLICITORS SUPREME COURT EDINBURGH AND HERETO SET AND AFFIXED MY SEAL AT LONDON THE TWENTY THIRD DAY OF SEPTEMBER EIGHTEEN HUNDRED AND FIFTY YEARS BEFORE THESE WITNESSES HENRY VALLANCE ESQUIRE SOLICITOR IN LONDON AND JOHN NEWSHAM HIS CLERK THE PLACE AND DATE OF SIGNING AND SEALING AND WITNESSES NAMES AND DESIGNATION BEING

WRITTEN BY THE SAID JOHN NEWSHAM SIGNED
\cf2 JAMES SUTHERLAND MACKENZIE SIGNED
SEALED DELIVERED IN PRESENCE J.VALLANCE,
SPER AND SHAND LONDON, IN. NEWSHAM HIS
CLERK WITNESS\PAR \cf3 EDINBURGH 12
OCTOBER 1850 ON THE PART OF MESSR BOWINE
COMPANY WE ACKNOWLEDGE INTIMATION TO
USE THIS INSTRUMENT PURPORTING TO BE AN
ASSIGNATION OF CERTAIN SUMS CONSTITUTING
THE RESIDUE OF THE PRICE OF THE ENTAILED
ESTATE OF ROYSTON WE ARE NOT TO BE HELD
AS ADMITTING THAT THE GRANTEE HEIR ANY
RIGHT TO THE SUMS ASSIGNED BEYOND HIS LIFE
INTEREST AS PRESENT HEIR UNDER THE
ROYSTON ENTAIL OR THAT THIS ASSIGNMENT
PRECLUDED MESSR BOWINE AND COMPANY
FROM PAYING OF THEIR BILL ON DUE NOTICE
\PAR SIGNED\cf1 GORDON STUART CHEYNE
EDINBURGH 12 OCTOBER 1850 ON BEHALF OF
THE MARCHIONESS OF STAFFORD AND THE
HONOURABLE MRS HAY MACKENZIE WE HOLD
THIS ASSIGNATION AS DULY INTIMATED TO
THEM. WALKER AND MELVILLE.\F1\Fs20\PAR }

4 COLONEL WILLIAM DUNCAN

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\B\F0\FS1 6\TAB RD 13/149/BOX657. DATE 31/JULY 1809\PAR \TAB DISPOSITION AND DEED OF SETTLEMENT BY COLONEL ROBERT MACKENZIE\PAR \TAB 26 NOVEMBER 1802 WB OFFICE 31/07/1809\PAR \TAB PRESENTED BY JOSEPH GORDON\PAR \TAB MR THOMAS THOMSON ADVOCATE 5 SHEETS.\PAR \PAR \PAR \TAB I COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE EAST \PAR \TAB INDIA COMPANY FOR THE LOVE FAVOUR AND AFFECTION WHICH I HAVE AND\PAR \TAB BEAR TO ALEXANDER MACKENZIE MY SON PROCREATED OF THE MARRIAGE\PAR \TAB BETWEEN ME AND MRS KATHARINE SUTHERLAND NOW MACKENZIE MY WIFE\PAR \TAB AND OTHER GOOD CAUSES AND CONSIDERATIONS MOVING ME DO BY THESE\PAR \TAB PRESENTS IN THE EVENT OF MY DECEASE GIVE GRANT AND DISPONE TO AND\PAR \TAB IN FAVOUR OF THE SAID ALEXANDER MACKENZIE MY SON AND THE HEIRS \PAR \TAB WHATSOEVER OF HIS BODY WHOM FAILING TO THE HEIRS WHATSOEVER OF MY\PAR \TAB BODY WHOM FAILING TO ROBERT MACKENZIE LIEUTENANT IN THE MAHRATTA\PAR \TAB SERVICE MURDOCK MACKENZIE SON OF KATHARINE MCLEOD IN ASSYNT IN \PAR \TAB THE COUNTY OF SUTHERLAND AND HUME MACKENZIE LIEUTENANT IN THE \PAR \TAB SERVICE OF THE HONOURABLE EAST INDIA COMPANY ON THE MADRAS\PAR \TAB ESTABLISHMENT ALL THREE MY NATURAL SONS EQUALLY AMONG THEM AND\PAR \TAB THE

HEIRS WHATSOEVER OF THEIR BODIES AND
FAILING ANY ONE OR TWO\PAR \TAB OF THEM
AND THE HEIRS WHATSOEVER OF THEIR BODIES
TO THE OTHER ONE\PAR \TAB OR TWO OF THEM
EQUALLY BETWEEN THEM IF TWO AND THE
HEIRS \PAR \TAB WHATSOEVER OF HIS OR THEIR
BODIES WHOM ALL FAILING TO MY OWN \PAR
\TAB NEAREST AND LAWFUL HEIRS AND
ASSIGNEES WHATSOEVER ALL AND \PAR \TAB
SUNDRY LANDS HERITAGES ANNUAL RENTS
TEINDS ADJUDICATIONS \PAR \TAB REVERSIONS
WOODS MILLS FISHINGS TACKS HEADING AND
POSSESSION\PAR \TAB BELONGING TO ME OR
WHICH SHALL BELONG TO ME AT MY DEATH
AS\PAR \TAB ALSO ALL AND SUNDRY DEBTS
AND SUMS OF MONEY BOTH HERITABLE AND
\PAR \TAB MOVEABLE DUE AND OWING OR
WHICH SHALL BE DUE AND OWING BY ANY\PAR
\TAB PERSON OR PERSONS TO ME AT MY DEATH
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PREMISE OR FACTION AS RENT OF LANDS OR
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OTHER MANNER OF WAY WHATSOEVER WITH
THE WHOLE VOUCHERS\PAR \TAB
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DILIGENCE AND EXECUTION ISSUED AND
OBTAINED FOR PAYMENT AND\PAR \TAB
SECURITY OF THE SAME AND ALSO ALL AND
SUNDRY CORNS CATTLE HORSE \PAR \TAB
SHEEP HOUSEHOLD PLENISHINGS AND
FURNITURE INCLUDING BED AND\PAR \TAB
TABLE LINEN SILVER PLATE JEWELS TRINKETS
BANK NOTES GOLD AND SILVER\PAR \TAB
COINED AND UNCOINED AND LYING MONEY
CLOATHS BOOKS AND OTHER \PAR \TAB
MOVEABLE GOODS GEAR AND EFFECTS OF
WHATSOEVER NATURE OR\PAR \TAB
DENOMINATION INCLUDING HEIRSHIP
MOVEABLE BELONGING OR THAT MAY \PAR \TAB

BELONG TO ME AT MY DEATH WHEREVER OR IN
WHOSE CUSTODY SOEVER \PAR \TAB THE SAME
MAY THEN BE DISPENSING WITH THE
GENERALITY HEREOF AND \PAR \TAB
DECLARING THESE PRESENTS TO BE EQUALLY
GOOD AND EFFECTUAL \PAR \TAB TO ALL
INTENTS AND PURPOSES AS IF THE SAID LANDS
HERITAGES \PAR \TAB MOVEABLE DEBTS AND
OTHERS HEREBY CONVEYED WERE HEREIN \PAR
\TAB PARTICULARLY SPECIFIED AND
ENUMERATED DECLARING ALWAYS AS IT IS \PAR
\TAB WHEREBY EXPRESSLY PROVIDED AND
DECLARED THAT THE SAID ALEXANDER \PAR
\TAB MACKENZIE MY SON AND THE OTHER HEIRS
SUBSTITUTES AND SUCCESSORS \PAR \TAB
BEFORE NAMED IN THEIR ORDER SHALL BE
BOUND AND OBLIGED TO CONTENT \PAR \TAB
AND PAY MY FUNERAL EXPENSES AND ALL MY
JUST AND LAWFUL DEBTS \PAR \TAB AND
PARTICULARLY WITHOUT PREDUDICE TO THE
SAID GENERALITY THE \PAR \TAB PREVIOUS
CONTAINED IN A CONTRACT OF MARRIAGE
ENTERED INTO BETWEEN \PAR \TAB ME ON THE
ONE PART AND THE SAID KATHERINE
SUTHERLAND NOW MACKENZIE \PAR \TAB MY
WIFE ELDEST LAWFUL DAUGHTER OF THE
DECEAST COLONEL JAMES \PAR \TAB
SUTHERLAND OF UPPAT WITH THE ADVICE AND
CONCENT OF CAPTAIN GEORGE \PAR \TAB
SACKVILLE SUTHERLAND OF UPPAT HER
BROTHER GERMAN ON THE OTHER \PAR \TAB
PART DATED THE 15/07/1801 WHICH
PROVISIONS WERE CONCEIVED IN FAVOUR \PAR
\TAB OF THE SAID KATHERINE SUTHERLAND
NOW MACKENZIE MY WIFE AS WELL \PAR \TAB
OF THE CHILDREN TO BE PROCREATED OF THE
MARRIAGE DECLARING THAT \PAR \TAB THE
SAID ALEXANDER MACKENZIE MY SON SHALL BE
ENTITLED TO THE FULL \PAR \TAB BENIFIT OF

THE PROVISIONS CONTAINED IN THE SAID CONTRACT IN SO \PAR \TAB FAR AS THE SAME MAY BE INTERPRETED IN HIS FAVOUR OVER AND ABOVE\PAR \TAB WHAT HE MAY DRAW FROM MY ESTATE REAL AND PERSONAL IN VIRTUE \PAR \TAB OF THESE PRESENTS THE SAME BEING MADE AND GRANTED WITHOUT\PAR \TAB PREJUDICE TO THE ABOVE MENTIONED PREVIOUS IN ANY MANNER OF WAY\PAR \TAB AS ALSO MY SAID SON AND THE OTHER HEIRS SUBSTITUTING AND\PAR \TAB SUCCESSORS BEFORE MENTIONED SHALL BE BOUND TO PAY THE\PAR \TAB FOLLOWING LAGACIES VIZ. WHEREAS BY THE SAID CONTRACT OF MARRIAGE\PAR \TAB AMONG OTHER PROVISIONS CONCEIVED IN FAVOUR OF THE SAID KATHARINE\PAR \TAB SUTHERLAND NOW MACKENZIE MY WIFE IT WAS DECLARED THAT IN THE EVENT\PAR \TAB OF MY PREDECEASING THE SAID KATHERINE SUTHERLAND NOW MACKENZIE\PAR \TAB MY WIFE AND THAT AT THE DISSOLUTION OF THE MARRIAGE BY MY DECEASE\TAB\PAR \TAB OR OTHERWISE THERE SHOULD BE NO CHILD OR CHILDREN EXISTING \PAR \TAB THEREOF AT THE TIME THEN AND IN THAT CASE I PROVIDED HEREIN AND\PAR \TAB SHE WAS ENTITLED TO RECEIVE AND WAS THEREBY EMPOWERED TO\PAR \TAB DEMAND AND RECEIVE THE INTEREST OF SIX THOUSANT POUNDS STERLING\PAR \TAB PROVIDED TO THE CHILDREN OF THE MARRIAGE IN MANNER THEREIN\PAR \TAB MENTIONED NOW IN CASE THE SAID EVENTUAL PROVISION SHOULD BE\PAR \TAB VACATED IN CONSEQUENCE OF THE EXISTENCE OF A CHILD OR CHILDREN\PAR \TAB PROCREATED OF THE MARRIAGE WHO MAY SURVIVE ME THEN AND\PAR \TAB IN THAT EVENT I HEREBY GIVE AND BEQUEATH TO THE SAID KATHARINE\PAR \TAB SUTHERLAND NOW MACKENZIE MY WIFE THE SUM OF TWO

THOUSANT\PAR \TAB POUNDS STERLING THEN
TO THE SAID HUME MACKENZIE MY
NATURAL\PAR \TAB SON I GIVE AND BEQUEATH
THE SUM OF FIVE HUNDRED POUNDS
STERLING\PAR \TAB THEN TO THE SAID ROBERT
MACKENZIE MY NATURAL SON THE SUM\PAR
\TAB OF THREE HUNDRED POUNDS STERLING
THEN TO THE SAID MURDOCH\PAR \TAB
MACKENZIE MY NATURAL SON THE LIKE SUM OF
THREE HUNDRED \PAR \TAB POUNDS STERLING
THEN TO FRANCES MACKENZIE NOW GUNN
MY\PAR \TAB NATURAL DAUGHTER THE SUM OF
TWO HUNDRED POUNDS STERLING\PAR \TAB
THEN TO MARIA MACKENZIE NOW MACAULY MY
NATURAL DAUGHTER\PAR \TAB THE LIKE SUM
OF TWO HUNDRED POUNDS STERLING THEN TO
COLONEL\PAR \TAB LOUIS GRANT OF
ACHUINACH LATE IN THE SERVICE OF THE
HONOURABLE\PAR \TAB EAST INDIA COMPANY
THE SUM OF THREE HUNDRED POUNDS
STERLING\PAR \TAB THEN TO CAPTAIN
CHARLES GRANT IN THE SERVICE OF THE
HONOURABLE\PAR \TAB EAST INDIA COMPANY
ON THE BENGAL ESTABLISHMENT THE LIKE\PAR
\TAB SUM OF THREE HUNDRED POUNDS
STERLING THEN TO MRS ELIZABETH\PAR \TAB
SUTHERLAND WIDOW OF THE SAID COLONEL
JAMES SUTHERLAND AND\PAR \TAB MOTHER OF
THE SAID KATHARINE SUTHERLAND NOW
MACKENZIE\PAR \TAB WIFE THE SUM OF FIVE
HUNDRED POUNDS STERLING AND MY SAID
SON\PAR \TAB AND THE OTHER HEIRS
SUBSTITUTING AND SUCCESSORS BEFORE\PAR
\TAB MENTIONED SHALL BE BOUND TO PAY THE
SAID SEVERAL LAGACIES\PAR \TAB AT THE
FIRST TERM OF WHITSUNDAY OR MARTINMAS
AFTER MY DEATH\PAR \TAB WITH A FIFTH PART
MORE OF PENALTY IN CASE OF FAILURE AND
THE \PAR \TAB LEGAL INTEREST OF THE SAID

SUMS RESPECTIVELY FROM THE SAID\PAR \TAB
TERM OF PAYMENT UNTIL PAID DECLAIRING
THAT THE JUS MARITI\PAR \TAB AND RIGHT OF
ADMINISTRATION OF THE HUSBANDS OF THE
SAID\PAR \TAB FRANCIS MACKENZIE NOW GUNN
AND OF THE SAID MARIA MACKENZIE\PAR \TAB
NOW MACAULY IS HEREBY EXPRESSLY
SECLUDED AND DEBARRED IN SO\PAR \TAB FAR
AS CONCERNS THE SAID LEGACIES PENALTIES
AND INTEREST\PAR \TAB AND FOR CARRYING
THESE PRESENTS INTO MORE EFFECTUAL\PAR
\TAB EXECUTION I HEREBY NOMINATE AND
APPOINT THE SAID ALEXANDER\PAR \TAB
MACKENZIE MY SON WHOM FAILING THE SAID
KATHARINE SUTHERLAND\PAR \TAB NOW
MACKENZIE MY WIFE THE SAID GEORGE
SACKVILLE SUTHERLAND\PAR \TAB THE SAID
LOUIS GRANT THE SAID CHARLES GRANT
COLONEL WILLIAM\PAR \TAB DUNCAN IN THE
SERVICE OF THE HONOURABLE EAST INDIA
COMPANY\PAR \TAB CAPTAIN HENRY WHITE IN
THE SERVICE OF THE HONOURABLE EAST\PAR
\TAB INDIA COMPANY ON THE BENGAL
ESTABLISHMENT AND NOW OR LATELY\PAR
\TAB AIDE DE CAMP TO HIS EXELLENCY
MARQUISE WELLESLEY GOVERNOR\PAR \TAB
GENERAL OF BENGAL AND COLIN MACKENZIE
WRITER TO THE SIGNET\PAR \TAB AND THE
ACCEPTING SURVIVORS OR SURVIVOR OF THEM
TO BE MY\PAR \TAB SOLE EXECUTORS
EXCLUDING MY NEAREST OF KIN AND ALL
OTHERS \PAR \TAB FROM THE SAID OFFICE
MOREOVER AS I JUDGE IT PRUDENT TO
NAME\PAR \TAB TUTORS AND CURATORS TO THE
SAID ALEXANDER MACKENZIE\PAR \TAB MY SON
OR TO ANY OTHER CHILD OR CHILDREN WHO
MAY BE \PAR \TAB PROCREATED OF THE SAID
MARRIAGE BETWEEN ME AND THE\PAR \TAB
SAID KATHARINE SUTHERLAND NOW
MACKENZIE AND HAVING\PAR \TAB ENTIRE

CONFIDENCE IN THE SAID KATHARINE
SUTHERLAND \PAR \TAB NOW MACKENZIE MY
WIFE GEORGE SACKVILLE SUTHERLAND\PAR
\TAB LOUIS GRANT CHARLES GRANT WILLIAM
DUNCAN HENRY WHITE\PAR \TAB AND COLIN
MACKENZIE DO HEREBY NOMINATE AND
APPOINT\PAR \TAB THEM AND THE ACCEPTING
SURVIVORS OR SURVIVOR OF\PAR \TAB THEM TO
BE TUTORS AND CURATORS TO THE SAID
ALEXANDER\PAR \TAB MACKENZIE MY SON AND
TO SUCH OTHER CHILD OR CHILDREN\PAR \TAB
AS MAY BE PROCREATED OF THE SAID
MARRIAGE DURING\PAR \TAB THE WHOLE
PERIOD OF THEIR RESPECTIVE PUPILARITIES
AND MINORITIES\PAR \TAB DECLARING THAT
THE MAJORITY OF THE PERSONS BEFORE
NAMED\PAR \TAB ACCEPTING AND ALIVE AT THE
TIME OR ANY ONE OF THEM\PAR \TAB
ACCEPTING AND SURVIVING THE LEAST SHALL
BE A QUORUM AND\PAR \TAB DECLAIRING ALSO
THAT THEY SHALL NOT AS TUTORS OR
CURATORS\PAR \TAB BE LIABLE FOR OMISSIONS
NOR SINGULI IN SOLIDUM BUT EACH\PAR \TAB
ONLY FOR HIS OWN ACTUAL INTROMISSIONS
AND THAT IT SHALL\PAR \TAB BE IN THE POWER
OF THE PERSONS BEFORE NAMED TO
ACCEPT\PAR \TAB THE OFFICE OF TUTOR AND
RENOUNCE THE OFFICE OF CURATOR \PAR \TAB
AND I HEREBY REVOKE ALL FORMER
DISPOSITION AND SETTLEMENT\PAR \TAB
LEGACIES CODICALS AND OTHER
TESTAMENTARY DEEDS MADE \PAR \TAB OR
GRANTED BY ME IN FAVOR OF WHATEVER
PERSON OR PERSONS\PAR \TAB PRECEEDING
THE DATE HEREOF AND DECLARE THIS TO BE MY
LAST\PAR \TAB WILL AND TESTAMENT
RESERVING ALWAYS TO MYSELF FULL\PAR \TAB
POWER AND LIBERTY AT ANY TIME OF MY
LIFE\PAR \TAB EVEN IN SICKNESS OR ON

DEATHBED TO EVOKE ALTER AND
INNOVATE\PAR \TAB THESE PRESENTS IN
WHOLE OR IN PART OR TO CANCEL THE
SAME\PAR \TAB AT PLEASURE BUT IF I SHALL
NOT THINK FIT SO TO DO THESE PRESENTS\PAR
\TAB SHALL BE EFFECTUAL THOUGH FOUND IN
MY CUSTODY OR IN THE CUSTODY\PAR \TAB OF
ANY OTHER PERSON TO WHOM I MAY ENTRUST
THE SAME UNDELIVERED\PAR \TAB AT MY
DEATH WITH THE DELIVERY WHEREOF I HEREBY
DISPENSE AND\PAR \TAB CONSENT TO THE
REGISTRATION HEREOF IN THE BOOKS OF
COUNCIL AND \PAR \TAB SESSION OR OTHERS
COMPETENT THEREIN TO REMAIN FOR
PRESERVATION\PAR \TAB AND THERETO
CONSTITUTE\PAR \PAR \TAB MY PROCURATORS
IN WITNESS.\PAR \TAB WHEREOF SUBSCRIBE
THESE PRESENTS WRITTEN ON THIS AND THE
TWO \PAR \TAB PRECEEDING PAGES OF
STAMPED PAPER BY WILLIAM MACKENZIE
CLERK TO\PAR \TAB ALEXANDER AND COLIN
MACKENZIE WRITERS TO THE SIGNET ON
EACH\PAR \TAB PAGE AT EDINBURGH THE
26/11/1802 BEFORE THESE WITNESSES
THE\PAR \TAB SAID ALEXANDER MACKENZIE
WRITER TO THE SIGNET AND THE SAID \PAR \TAB
WILLIAM MACKENZIE WRITER HEREOF.\PAR
\TAB ROBERT MCKENZIE\PAR \TAB ALEXANDER
MACKENZIE \TAB WITNESS\PAR \TAB WILLIAM
MACKENZIE \TAB WITNESS\PAR }

5 CAPTAIN WILLIAM FRASER OF CULBOKIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\F0\FS16\TAB SASINE WILLIAM FRASER OF CULBOKIE INVERNESS\PAR \TAB RS2788/3. \PAR \TAB\PAR \TAB\PAR \TAB AT EDINBURGH 23/5/1856 BETWEEN THE HOURS OF TWO AND THREE IN\PAR \TAB THE AFTERNOON THE INSTRUMENT OF SASINE UNDER WRITEN WAS BY\PAR \TAB JAMES MASON SOLICITOR SUPREME COURTS EDINBURGH PRESENTED\PAR \TAB FOR REGISTRATION AND IS INGROSSED IN THE TWO THOUSAND\PAR \TAB SEVEN HUNDRED AND EIGHTY EIGHT BOOK OF THE NEW GENERAL\PAR \TAB REGISTER OF SASINES REVERSIONS AS FOLLOWS VIZ. AT EDINBURGH\PAR \TAB THERE WAS BY OR ON BEHALF OF WILLIAM FRASER ESQUIRE OF\PAR \TAB CULBOKIE LATE CAPTAIN IN THE SEVENTY SIXTH REGIMENT OF\PAR \TAB INVERNESSHIRE MILITIA PRESENTED TO ME NOTARY PUBLIC \PAR \TAB SUBSCRIBING A CHARTER OF SALE UNDER THE SEAL NOW USED\PAR \TAB FOR THE GREAT SEAL OF SCOTLAND AND BEARING DATE AS IN\PAR \TAB THE PRECEPT OF SASINE AND SEALING HEREINAFTER INSERTED\PAR \TAB BY WHICH CHARTER VICTORIA BY THE GRACE OF GOD OF THE \PAR \TAB UNITED KINGDOM OF GREAT BRITAIN AND IRELAND QUEEN DEFENDER\PAR \TAB OF THE FAITH GAVE AND GRANTED AND DISPONED AND FOR EVER\PAR \TAB CONFIRMED TO THE SAID WILLIAM FRASER AND HIS HEIRS AND\PAR \TAB ASSIGNEES WHOMSOEVER HERITABLY AND IRREDEEMABLY ALL\PAR \TAB AND WHOLE THE

FOLLOWING PARTS AND PORTIONS OF THE
LANDS \PAR \TAB AND BARONY OF MACDONALD
VIZ. ALL AND WHOLE THOSE PARTS \PAR \TAB
AND PORTIONS LYING TO THE NORTH OF THE
MARCHS OF THE FARMS \PAR \TAB OR LANDS OF
KINGSBURGH AND SCORRIEBRECK OF THE
FOLLOWING \PAR \TAB PARTS AND PORTIONS OF
THE SAID LANDS OF THE BARONY OF \PAR \TAB
MACDONALD VIZ. THE TEN PENNY LAND
KILLIEVAXTER IN \PAR \TAB TROTTERNISH WITH
PARTS PENDICLES AND PERTINENTS ALL \PAR
\TAB AND WHOLE THE 80 MERKS LANDS OF
TROTTERNISH WITH CASTLE \PAR \TAB TOWERS
FORTALICES MANOR PLACES MILLS MULTURES
WOODS \PAR \TAB FISHING AS WELL OF SALMON
AND AS WELL IN SALT WATER AS IN FRESH \PAR
\TAB WATER MOUNTAINS HILLS MUIRS MARSHES
COMMONTIES PRIVILEGES \PAR \TAB
PASTURAGES PARTS PENDICLES ANNEXIS
CONNEXIS OUTSETS \PAR \TAB
COMPREHENDING OR CONSISTING THE SAID
LANDS AND OTHERS \PAR \TAB OF THE ENTIRE
OR ALMOST THE ENTIRE PARISH OF KILMUIR
AND PART OF \PAR \TAB THE PARISH OF
SNIGZORT IN THE ISLE OF SKYE OF SKYE ALL
AS \PAR \TAB DESCRIBED IN THE ARTICLES AND
CONDITIONS OF ROUP THEREOF \PAR \TAB
DATED 30/5/1855 YEARS AND WHICH NOT
WITHSTANDING THE \PAR \TAB DESCRIPTION
THEREIN AND ABOVE GIVEN FROM THE TITLE
DEEDS \PAR \TAB OF THE ESTATE IT IS BY SAID
CHARTERS AS IT WAS BY THE \PAR \TAB SAID
ARTICLES AND CONDITIONS OF ROUP
DECLARED SHOULD \PAR \TAB BE HELD TO
COMPREHEND AND TO CONSIST OF THOSE
PARTS \PAR \TAB AND PORTIONS OF THE SAID
LANDS AND BARONY OF MCDONALD \PAR \TAB
IN THE THE PARISHES OF KILMUIR AND SNZORT
AND ISLAND \PAR \TAB OF SKYE SITUATED AND
LYING TO THE NORTH OF THE PRESENT \PAR

\TAB MARCHES OF THE FARMS OF KINGSBURGH AND SCORRIEBRECK\PAR \TAB AS IN THE SAID FARMS ARE NOW POSSESSED BY MR DONALD\PAR \TAB MCLEOD THE PRESENT TENANT THEREOF AS THE SAID LINES\PAR \TAB OF MARCH WERE SOMETIME MARKED AND PITTED OFF BY ALEXANDER\PAR \TAB KENNETH MACKINNON ESQ. THE FACTOR FOR THE RIGHT HONOURABLE\PAR \TAB GODFREY WILLIAM WENTWORTH LORD MACDONALD AND NO OTHER\PAR \TAB LANDS AND THAT FREE FROM THE FETTERS OF THE CONTRACT OR DEED\PAR \TAB OF ENTAIL OF THE LANDS AND BARONY OF MCDONALD DATED THE \PAR \TAB 07/9/ AND 08/11/1726 AND REGISTERED IN THE REGISTER OF TALZIES\PAR \TAB ON THE 23/6/1836 MADE AND GRANTED BY AND BETWEEN MR KENNETH\PAR \TAB MACKENZIE ADVOCATE OF THE ONE PART AND ALEXANDER MACDONALD\PAR \TAB ONLY SON THEN IN LIFE OF THE DECEASED JAMES MACDONALD BROTHER\PAR \TAB TO THE LATE SIR DONALD MACDONALD OF THAT ILK OF THE OTHER\PAR \TAB PART AND FREE OF ALL DEBTS DILEGENCES AND INCUMBRANCES\PAR \TAB AFFECTING THE SAID LANDS AND OTHERS ABOVE DESCRIBED UNDER\PAR \TAB ALL THE CONDITIONS PROVISIONS AND DECLARATIONS SPECIFIED\PAR \TAB AND CONTAINED IN THE ARTICLES AND CONDITIONS OF ROUP BEFORE\PAR \TAB MENTIONED WHICH ARE IN SAID CHARTER SPECIALLY REFERED TO\PAR \TAB BREVITATIS CAUSA AND WHICH TEN PENNY LAND OF KILLEVAXTER\PAR \TAB AND EIGHTY MERK LANDS OF TROTTERNISH AND OTHERS ABOVE\PAR \TAB DESCRIBED ARE PART OF THE LANDS AND BARONY OF MACDONALD \PAR \TAB CONTAINED IN A PRECEPT FROM CHANCERY DATED SEVENTH MAY\PAR \TAB

EIGHTEEN HUNDRED AND THIRTY THREE FOR
INFECTING THE SAID\PAR \TAB RIGHT
HONORABLE GODFREY WILLIAM WENTWORTH
LORD MCDONALD\PAR \TAB THEREIN DESIGNED
THE RIGHT HONOURABLE LORD GODFREY
WILLIAM\PAR \TAB WENTWORTH MACDONALD
OF THE ISLES BARONET OF MACDONALD\PAR
\TAB LORD OF SLATE BARON MACDONALD IN
THE SAID LANDS AND BARONY\PAR \TAB OF
MACDONALD AS ELDEST SON AND NEAREST
AND LAWFUL HEIR OF \PAR \TAB TALZIE AND
PROVISION IN SPECIAL OF LIEUTENANT
GENERAL LORD\PAR \TAB GODFREY BOSVILLE
MACDONALD OF THE ISLES BARONET OF
MACDONALD\PAR \TAB LORD OF SLATE BARON
MACDONALD HIS FATHER AND INSTRUMENT
OF\PAR \TAB SASINE FOLLOWING THEREON IN
FAVOUR OF THE SAID RIGHT HONOURABLE\PAR
\TAB GODFREY WILLIAM WENTWORTH LORD
MACDONALD IN THE SAID LANDS\PAR \TAB AND
BARONY OF MACDONALD DATED 15/05/1833
AND RECORDED IN THE\PAR \TAB GENERAL
REGISTER OF SASINES AT EDINBURGH THE
11/07/1833 AND\PAR \TAB WHICH LANDS AND
OTHERS ABOVE DESCRIBED ARE BY THE SAID
CHARTER\PAR \TAB DISUNITED FROM ALL AND
SUNDRY EARLDOMS LORDSHIPS BARONIES
AND\PAR \TAB OTHERS WHATSOEVER
WHEREUNTO THEY WERE FORMERLY UNITED
AND\PAR \TAB ANNEXED OR WHEREOF THEY
WERE PARTS AND PERTINENTS TO BE
HOLDEN\PAR \TAB THE SAID LANDS AND
OTHERS OF THE CROWN IN FREE BLENCH
FARM\PAR \TAB FEE AND HERITAGE FOR EVER
FOR PAYMENT THEREFOR OF A PENNY
SCOTS\PAR \TAB AT WHITSUNDAY YEARLY OF
BLENCH DUTY IF ASKED ONLY WHICH
CHARTER\PAR \TAB ONLY WHICH CONTAINS A
PRECEPT OF SASINE IN THE FOLLOWING
TERMS\PAR \TAB MOREOVER WE DESIRE ANY

NOTARY PUBLIC TO WHOM THIS CHARTER\PAR
\TAB MAY BE PRESENT TO GIVE TO THE SAID
WILLIAM FRASER OR HIS FORESAIDS\PAR \TAB
SASINE OF THE LANDS AND OTHERS ABOVE
DESCRIBED AND THAT FREED \PAR \TAB FROM
THE FETTERS OF THE CONTRACT OR DEED OF
ENTAIL ABOVE\PAR \TAB REFERRED TO AND OF
ALL DEBTS DILEGENCE AND
INCUMBRANCES\PAR \TAB AFFECTING THE
SAME IN WITNESS WHEREOF WE HAVE
ORDERED THE SEAL\PAR \TAB NOW USED FOR
THE GREAT SEAL OF SCOTLAND TO BE
APPENDED HERETO\PAR \TAB OF THIS DATE
AND THE SAME IS ACCORDINGLY APPENDED AT
EDINBURGH\PAR \TAB THE 16/05/1856 YEARS.
ARCHIBALD MCNEILL DIRECTOR OF
CHANCERY\PAR \TAB F.W.L.GORDON
SUBSTITUTE KEEPER OF THE SEAL 24 POUNDS
SCOTTS\PAR \TAB MONEY IN VIRTUE OF WHICH
PRECEPT I HERBY GIVE SASINE TO THE SAID\PAR
\TAB WILLIAM FRASER OF THE LANDS AND
OTHERS ABOVE DESCRIBED AND THAT\PAR \TAB
FREED FROM THE FETTERS OF THE SAID
CONTRACT OR DEED OF ENTAIL \PAR \TAB
BEFORE REFERED TO AND OF ALL DEBTS
DILEGENCES AND INCUMBRANCES\PAR \TAB
AFFECTING THE SAME IN WITNESS WHEREOF I
HAVE SUBSCRIBED THESE\PAR \TAB PRESENTS
WRITEN APON THIS AND THE TWO PRECEEDING
PAGES\PAR \TAB BY ALEXANDER ARCHIBALD
APPRENTICE TO JAMES MASON SOLICITOR\PAR
\TAB SUPREME COURTS EDINBURGH BEFORE
THESE WITNESSES THE SAID\PAR \TAB JAMES
MASON AND ALEXANDER ARCHIBALD BOTH
ABOVE DESIGNED\PAR \TAB PEIEGI WILLIAM
MASON NOTARY PUBLIC JAMES MASON
WITNESS\PAR \TAB ALEXANDER WITNESS
COLLATED BY JAMES LINDSAY WRITTEN BY\PAR

\TAB GEORGE Y. RUTHERFORD.\PAR \PAR \PAR
\TAB\PAR }

6 CAPTAIN ALEXANDER MACKENZIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\
FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}
{*\GENERATOR MsFTEDIT
5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20
C26/6 REFERENCE CHANCERY DIVISION A
BRIEF REGISTERED TO THE SCOTTISH RECORD
OFFICE\PAR \PAR GENERAL SERVICE OF
ALEXANDER MACKENZIE HEICS TO SIR
KENNETH MACKENZIE 1826\PAR GREAT
GRANDSON OF THE FATHER OF\PAR \PAR BRIEF
FOR ALEXANDER MACKENZIE PRESENTLY IN
THE MILITARY SERVICE OF THE HONORABLE
EAST INDIA COMPANY ELDEST LAWFUL SON OF
THE DECEASED COLONEL ROBERT MACKENZIE
OF THE SAME SERVICE WHO WAS ELDEST
LAWFUL SURVIVING SON OF ALEXANDER
MACKENZIE OF ARDLOCH THE ELDEST LAWFUL
SON OF JOHN MACKENZIE OF ARDLOCH WHO
WAS ELDEST LAWFUL SON OF ALEXANDER
MACKENZIE OF ARDLOCH YOUNGER BROTHER
GERMAN OF SIR GEORGE MACKENZIE OF
TARBAT BARONET AFTERWARDS VISCOUNT
TARBAT LORD MCLEOD AND CASTLEHAVEN AND
EARL OF CROMARTY ELDEST SON OF SIR JOHN
MACKENZIE OF TARBAT AS NEAREST AND
LAWFUL HEIR MALE IN GENERAL OF SIR
KENNETH MACKENZIE SECOND LAWFUL SON OF
KENNETH MACKENZIE AFTERWARDS DESIGNED
SIR KENNETH SECOND LAWFUL SON OF THE
SAID SIR GEORGE MACKENZIE OF TARBAT
BARONET AFTERWARDS VISCOUNT TARBAT
LORD MCLEOD AND CASTLEHAVEN AND EARL
OF CROMARTY IN AND CONFORM TO THE
DESTINATION IN TERMS OF A ROYAL CHARTER

OR PATENT 29 APRIL 1704 OF THE TITLE OF
BARONET OF NOVA SCOTIA IN FAVOUR OF THE
SAID KENNETH MACKENZIE SECOND LAWFUL
SON OF THE SAID SIR GEORGE MACKENZIE OF
TARBAT BART AFTERWARDS VISCOUNT TARBAT
LORD MCLEOD AND CASTLEHAVEN AND EARL
OF CROMARTY AND HIS HEIRS MALE FOR EVER
\PAR SHERIFF OF ROSS\PAR }

7 EARL OF CROMARTY

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\
FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}
{*\GENERATOR MsFTEDIT
5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20
SCOTTISH RECORD OFFICE REFERENCE
C22/101 CROSS REFERENCE TO ORIGINAL
RETOURS C24/103 NO 33\PAR \PAR THIS
ENQUIRY WAS MADE IN THE CURIA COURT OF
THE VICE-COUNTY OF ROSS ON THE SIXTEENTH
DAY OF THE MONTH OF SEPTEMBER IN THE YEAR
OF THE LORD ONE THOUSANT EIGHT HUNDRED
AND NINE BEFORE THE HONOURABLE MAN
JOHN BARCLAY VICE-COUNTY OF ROSS AND
THROUGH OR BY THESE HONEST FAITHFUL MEN
WHOS PATRNYMS ARE SIGNED BELOW TO WIT
GEORGE SACKVILLE SUTHERLAND RESIDENT OF
RHIVES MISTER GEORGE MURRAY MERCHANT IN

TAIN MISTER WILLIAM MURRAY MERCHANT IBID
JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN
MCINTOSH MERCHANT IBID DUNCAN ROSS
MERCHANT IBID HUGO OR HUGH MACKENZIE
MERCHANT IBID DONALD ROSS MERCHANT IBID
JAMES ROSS MERCHANT IBID DONALD ROSS
JUNIOR MERCHANT IBID DRUM MANSEN
MERCHANT IBID JOHN MCPHERSON MERCHANT
IBID MISTER JOHN BLACK SCRIBE CLERK IBID
JAMES ROBERTSON SURGEON IBID LIEUTENANT
JOHN MUNRO RESIDENT IBID THESE PERSONS
HAVING BEEN SWORN IN MAGNO SACRAMENTO
INTERVENIENTE DECLARED THAT A CERTAIN
LIETENANT-COLONEL ROBERT MACKENZIE IN
THE SERVICE OF THE HONOURABLE SOCIETY OF
THE MERCHANTS OF THE EAST INDIES IS THE
FATHER OF ALEXANDER MACKENZIE
PRESENTER OF THESE PRESENT PETITION THE
SAID LT-COL. ROBERT MACKENZIE WAS THE
LEGITIMATE FIRST BORN SON OF THE LATE
ALEXANDER MACKENZIE LATELY OF ARDLOCH
WHO WAS THE LEGITIMATE FIRST BORN SON OF
THE ALSO DEFUNCT JOHN MACKENZIE OF
ARDLOCH WHO WAS THE LEGITIMATE FIRST
BORN SON OF THE ALSO DEFUNCT ALEXANDER
MACKENZIE WHO WAS THE LEGITIMATE SON OF
LORD JOHN MACKENZIE OF TARBAT AND
GERMAIN BROTHER OF GEORGE VICE-COUNT OF
TARBAT AND LATER EARL OF CROMARTY BOTH
WHOM ARE DEAD AND WHO WAS MALE HEIR
TALLICE TALLIAE ET PROVISIONIS DESERVITUS
ET RETORNATUS TO A CERTAIN KENNETH
MACKENZIE LAST OF CROMARTIE WHO WAS
HEIR DESERVITUS ET RETOR NATUS TO LORD
KENNETH MACKENZIE DE GRANDVILLE WHO
WAS HEIR DESERVITUS ET RETORNATUS TO
LORD GEORGE MACKENZIE DE GRANDVILLE HIS
ELDER BROTHER WHO WAS THE ELDEST SON OF
LORD KENNETH MACKENZIE OF CROMARTIE
SECOND LEGITIMATE SON OF THE SAID GEORGE

VICE-COUNT OF TARBAT AND AFTERWARDS EARL OF CROMARTIE WHO DIED WITHOUT LEGITIMATE MALE CHILD MALE HEIRS PROCREATED FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT FAILING THEY NOW EXIST IN PERSON OF LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRAND-SON OF THE SAID ALEXANDER MACKENZIE ONLY BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY FROM WHOS BODY MALE HEIRS WERE THEN IN EXISTENCE HE THEREFORE HAD THE RIGHT OF RECEIVING THE SUCCESSION UNDER THE DISPOSITION AND CHARTER OF TALLIA CONTAINING SUBSTITUTION PROVISIONS CONDITIONS AND NULLIFYING CLAUSES THEREIN SPECIFIED MADE AND EXPRESSED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD OF MACLEOD AND CASTLEHAVEN AFTERWARDS EARL OF CROMARTY GIVEN ON THE TWENTY-EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSAND SIX HUNDRED AND EIGHTY-EIGHT BY THE TITLE DEED THEREIN SPECIFIED HE GAVE AND DISPOSED TO ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING THE PARTICULAR LANDS ETCETERA THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MASTER JAMES MACKENZIE HIS LEGITIMATE THIRD SON WHO LATER BECAME LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSION AND TO HIS MALE HEIRS LEGITIMATELY BEGOTTEN FROM HIS BODY FAILING WHICH TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE LEGITIMATE MALE HEIRS BEGOTTEN FROM HIS BODY FAILING WHICH TO JOHN EARL OF CROMARTIE THEREIN

DESIGNATED AS JOHN MASTER OF TARBAT
ELDEST LEGITIMATE SON OF THE SAID VICE-
COUNT AND TO HIS MALE HEIRS PROCREATED
OR TO BE PROCREATED FROM HIS BODY FAILING
WHICH TO THE OTHER MALE HEIRS
LEGITIMATELY BEGOTTEN OR TO BEGOTTEN
FROM THE BODY OF THE NOBLE VICE-COUNT
HIMSELF FAILING WHICH FINALLY TO OTHER
PERSON OR PERSONS TO BE NAMED BY HIM IN
THE SAME MANNER IN THE ABOVE SAID
CHARTER OF TALLIA THEY FAILING TO OTHER
MALE HEIRS OF THE SAID GEORGE VICE-COUNT
OF TARBAT WHOSOEVER FAILING ALL THESE
HEIRS AND ASSIGNS WHOSOEVER OF THE SAID
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IRREDEEMABLY AND GO TO THE FAITH TRUST
AND PEACE OF S.N.D.REGIS OUR SOVEREIGN
LORD THE KING AND WHEREBY THE SAID
ALEXANDER MACKENZIE PRESENTER OF THE
PRESENT PETITION IS THE LEGITIMATE AND
NEAREST MALE HEIR OF TALLIE AND
PROVISIONIS UNDER THE SAID CHARTER OF
TALLIA OF HIS FATHER THE SAID LIEUTENANT-
COLONEL ROBERT MACKENZIE AND IS OF LEGAL
LEGITIMATE AGE IN CUJUS REI IN WITNESS TO
THIS THING THE SIGNATURES OF THOSE
CONCERNED IN THIS INQUIRY TOGETHER WITH
THE BREVIS REGIS DEBITE EXECUTO INCLUSO
AND THE SEAL OF THE COMUNE AND ALSO THE
SIGNATURE SIGN MANUAL OF THOMAS SUTOR
PRINCIPAL CLERK OF THE SAID VICE-COUNTY
SPECIALLY CONSTITUTED ARE APPENDED TO
THESE PRESENTS 16TH DECEMBER 1809
THOMAS SUTOR CLERK. \PAR }

Sir Alexander Mackenzie of Tarbat Royston Cromarty

8 LAUCLAN MCINTOSH

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FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}
{*\GENERATOR MSFTEDIT
5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20
SCOTTISH RECORD OFFICE REFERENCE
C22/101 CROSS REFERENCE TO ORIGINAL
RETOURS C24/103 NO 33\PAR \PAR THIS
ENQUIRY WAS MADE IN THE CURIA COURT OF
THE VICE-COUNTY OF ROSS ON THE SIXTEENTH
DAY OF THE MONTH OF SEPTEMBER IN THE YEAR
OF THE LORD ONE THOUSANT EIGHT HUNDRED
AND NINE BEFORE THE HONOURABLE MAN
JOHN BARCLAY VICE-COUNTY OF ROSS AND
THROUGH OR BY THESE HONEST FAITHFUL MEN
WHOS PATRNYMS ARE SIGNED BELOW TO WIT
GEORGE SACKVILLE SUTHERLAND RESIDENT OF
RHIVES MISTER GEORGE MURRAY MERCHANT IN
TAIN MISTER WILLIAM MURRAY MERCHANT IBID
JAMES TAYLOR MERCHANT IBID S OR LAUCLAN
MCINTOSH MERCHANT IBID DUNCAN ROSS
MERCHANT IBID HUGO OR HUGH MACKENZIE
MERCHANT IBID DONALD ROSS MERCHANT IBID
JAMES ROSS MERCHANT IBID DONALD ROSS
JUNIOR MERCHANT IBID DRUM MANSEN
MERCHANT IBID JOHN MCPHERSON MERCHANT
IBID MISTER JOHN BLACK SCRIBE CLERK IBID
JAMES ROBERTSON SURGEON IBID LIEUTENANT
JOHN MUNRO RESIDENT IBID THESE PERSONS
HAVING BEEN SWORN IN MAGNO SACRAMENTO
INTERVENIENTE DECLARED THAT A CERTAIN
LIETENANT-COLONEL ROBERT MACKENZIE IN
THE SERVICE OF THE HONOURABLE SOCIETY OF
THE MERCHANTS OF THE EAST INDIES IS THE
FATHER OF ALEXANDER MACKENZIE
PRESENTER OF THESE PRESENT PETITION THE
SAID LT-COL. ROBERT MACKENZIE WAS THE
LEGITIMATE FIRST BORN SON OF THE LATE

ALEXANDER MACKENZIE LATELY OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT JOHN MACKENZIE OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT ALEXANDER MACKENZIE WHO WAS THE LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT AND GERMAIN BROTHER OF GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BOTH WHOM ARE DEAD AND WHO WAS MALE HEIR TALLICE TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS TO A CERTAIN KENNETH MACKENZIE LAST OF CROMARTIE WHO WAS HEIR DESERVITUS ET RETOR NATUS TO LORD KENNETH MACKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD GEORGE MACKENZIE DE GRANDVILLE HIS ELDER BROTHER WHO WAS THE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTIE SECOND LEGITIMATE SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND AFTERWARDS EARL OF CROMARTIE WHO DIED WITHOUT LEGITIMATE MALE CHILD MALE HEIRS PROCREATED FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT FAILING THEY NOW EXIST IN PERSON OF LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRAND-SON OF THE SAID ALEXANDER MACKENZIE ONLY BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY FROM WHOS BODY MALE HEIRS WERE THEN IN EXISTENCE HE THEREFORE HAD THE RIGHT OF RECEIVING THE SUCCESSION UNDER THE DISPOSITION AND CHARTER OF TALLIA CONTAINING SUBSTITUTION PROVISIONS CONDITIONS AND NULLIFYING CLAUSES THEREIN SPECIFIED MADE AND EXPRESSED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD OF MACLEOD AND CASTLEHAVEN

AFTERWARDS EARL OF CROMARTY GIVEN ON THE TWENTY-EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSAND SIX HUNDRED AND EIGHTY-EIGHT BY THE TITLE DEED THEREIN SPECIFIED HE GAVE AND DISPOSED TO ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING THE PARTICULAR LANDS ETCETERA THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MASTER JAMES MACKENZIE HIS LEGITIMATE THIRD SON WHO LATER BECAME LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSION AND TO HIS MALE HEIRS LEGITIMATELY BEGOTTEN FROM HIS BODY FAILING WHICH TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE LEGITIMATE MALE HEIRS BEGOTTEN FROM HIS BODY FAILING WHICH TO JOHN EARL OF CROMARTIE THEREIN DESIGNATED AS JOHN MASTER OF TARBAT ELDEST LEGITIMATE SON OF THE SAID VICE-COUNT AND TO HIS MALE HEIRS PROCREATED OR TO BE PROCREATED FROM HIS BODY FAILING WHICH TO THE OTHER MALE HEIRS LEGITIMATELY BEGOTTEN OR TO BEGOTTEN FROM THE BODY OF THE NOBLE VICE-COUNT HIMSELF FAILING WHICH FINALLY TO OTHER PERSON OR PERSONS TO BE NAMED BY HIM IN THE SAME MANNER IN THE ABOVE SAID CHARTER OF TALLIA THEY FAILING TO OTHER MALE HEIRS OF THE SAID GEORGE VICE-COUNT OF TARBAT WHOSOEVER FAILING ALL THESE HEIRS AND ASSIGNS WHOSOEVER OF THE SAID VIC-COUNT THE INHERITANCE WILL DIE OUT IRREDEEMABLY AND GO TO THE FAITH TRUST AND PEACE OF S.N.D.REGIS OUR SOVEREIGN LORD THE KING AND WHEREBY THE SAID ALEXANDER MACKENZIE PRESENTER OF THE PRESENT PETITION IS THE LEGITIMATE AND

NEAREST MALE HEIR OF TALLIE AND
PROVISIONIS UNDER THE SAID CHARTER OF
TALLIA OF HIS FATHER THE SAID LIEUTENANT-
COLONEL ROBERT MACKENZIE AND IS OF LEGAL
LEGITIMATE AGE IN CUJUS REI IN WITNESS TO
THIS THING THE SIGNATURES OF THOSE
CONCERNED IN THIS INQUIRY TOGETHER WITH
THE BREVIS REGIS DEBITE EXECUTO INCLUSO
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SIGNATURE SIGN MANUAL OF THOMAS SUTOR
PRINCIPAL CLERK OF THE SAID VICE-COUNTY
SPECIALLY CONSTITUTED ARE APPENDED TO
THESE PRESENTS 16TH DECEMBER 1809
THOMAS SUTOR CLERK. \PAR }

9 CARLYLE BELL

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\FONTTBL {\F0 \FSWISS \FCHARSET0 ARIAL;}}
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5.41.15.1507; } \VIEWKIND 4 \UC 1 \PARD \F0 \FS 20
AT SCOTTISH RECORD OFFICE EDINBURGH A
SERVICE OF HEIR TO JAMES SUTHERLAND
MACKENZIE YOUNGER BROTHER OF THE
DEFUNCT CAPTAIN ALEXANDER MACKENZIE
REFERENCE C22/159 CROSS REFERENCE TO
ORIGINAL RETOUR C24/135. \PAR \PAR THIS
ENQUIRY WAS HELD IN THE COURT OF THE
BAILIES OF THE TOWN OF EDINBURGH ON THE
SEVENTEENTH DAY OF THE MONTH OF
SEPTEMBER IN THE YEAR OF THE LORD ONE
THOUSAND EIGHT HUNDRED AND FORTY ONE
BEFORE THE HONOURABLE MAN WILLIAM
JOHNSTON ONE OF THE BAILIES OF THE SAID
TOWN BY THESE HONEST AND TRUE MEN OF THE
FATHERLAND LISTED BELOW VIZ ROBERT
LOCKHART DYMOCH ARMIGER SOLICITOR IN
EDINBURGH JOSEPH GORDON ARMIGER CLERK
SIGNETO REGIS THOMAS POTTS ROBERT
MORHAM WILLIAM ELIOT BUIST WILLIAM HORN
THOMAS MCMILLAN JAMES TURNBULL WILLIAM
SHANKS ROBERT BEATSON AND GORDON
CLUNES CLERK IN EDINBURGH ALEXANDER
DEUCHAR ENGRAVER OF SEALS IBID JOHN
CHAMBERS ARCHITECT IBID DAVID LAWSON
LICTOREM DECANI GILDAE IBID AND ROBERT
LATTA LIE TACKSMAN IBID THESE HAVING
TAKEN THE SOLEMN OATH STATED THAT A
CERTAIN LORD ALEXANDER MACKENZIE OF
TARBAT BARONET CAPTAIN IN THE 48TH
REGIMENT CALLED THE BENGAL NATIVE
INFANTRY ONLY BROTHER OF LORD JAMES
SUTHERLAND MACKENZIE OF TARBAT BARONET
BEARER OF THE PRESENT PETITION DIED IN THE

FAITH AND PEACE OF OUR SOVEREIGN QUEEN
THAT THE SAID DEFUNCT CAPTAIN LORD
ALEXANDER MACKENZIE OF TARBAT BARONET
WAS THE ELDEST LEGITIMATE SON AND MALE
HEIR TALLIAE ET PROVISIONIS DESERVITUS ET
RETORNATUS OF LIEUTENANT-COLONEL
ROBERT MACKENZIE ERSWHILE IN THE SERVICE
OF THE HONOURABLE EAST INDIA COMPANY
WHO WAS LEGITIMATE ELDEST SON OF THE
DEFUNCT ALEXANDER MACKENZIE LATE OF
ARDLOCH WHO WAS THE LEGITIMATE ELDEST
SON OF ALEXANDER MACKENZIE OF ARDLOCH
WHO WAS LEGITIMATE SON OF LORD JOHN
MACKENZIE OF TARBAT BARONET AND
YOUNGER BROTHER GERMAIN OF LORD GEORGE
MACKENZIE OF TARBAT BARONET AND LATER
VICE-COUNT TARBAT LORD MACLEOD AND
CASTLEHAVEN AND EARL OF CROMARTY BOTH
OF WHOM ARE DEAD AND THAT HE THE SAID
LIEUTENANT-COLONEL ROBERT MACKENZIE
WAS MALE HEIR TALLIAE ET PROVISIONIS
DESRVITUS ET RETORNATUS AD KENNETH
MACKENZIE OF CROMARTY WHO WAS HEIR
DESERVITUS ET RETORNATUS OF LORD
KENNETH MACKENZIE OF GRANDVILLE WHO
WAS HEIR DESERVITUS ET RETORNATUS OF
GEORGE MACKENZIE OF GRANDVILLE HIS
ELDER BROTHER WHO WAS LEGITIMATE ELDEST
SON OF LORD KENNETH MACKENZIE OF
CROMARTY LEGITIMATE SECOND SON OF THE
SAID LORD GEORGE MACKENZIE OF TARBAT
AND LATER VICE-COUNT TARBAT LORD MCLEOD
AN CASTLEHAVEN AND EARL OF CROMARTY AT
THE DEATH OF WHOM OF THE SAID KENNETH
MACKENZIE OF CROMARTY WITHOUT
LEGITIMATE MALE ISSUE HE PROCREATED A
MALE HEIR FROM THE BODY OF LORD GEORGE
MACKENZIE OF TARBAT LATER VICE-COUNT
TARBAT LORD MCLEOD AND CASTLEHAVEN AND

EARL OF CROMARTY FAILING THE SAID
LIEUTENANT-COLONEL ROBERT MACKENZIE
GREAT-GRANDSON PRONEPOS OF THE SAID
ALEXANDER MACKENZIE OF ARDLOCH ONLY
BROTHER OF THE SAID LORD GEORGE
MACKENZIE OF TARBAT LORD MCLEOD AND
CASTLEHAVEN AND EARL OF CROMARTY FROM
WHOSE BODY MALE HEIRS ARE NOW IN
EXISTENSE HAD RIGHT OF RECEIVING THE
SUCCESSION WHICH SUCCESSION HAD OPENED
BY THE DEATH OF THE SAID KENNETH
MACKENZIE OF CROMARTY UNDER THE
DISPOSITION AND WRITTEN DOCUMENT
SYNGRATHA OF TALLIA CONTAINING THE
PROVISION CONDITIONS AND IRRITANT CLAUSES
AND RESOLUTIONS THEREIN SPECIFIED MADE
AND DRAWN UP BY THE SAID LORD GEORGE
MACKENZIE OF TARBAT BARONET THEN VICE-
COUNT TARBAT LORD MCLEOD AND
CASTLEHAVEN LATER EARL OF CROMARTY
GIVEN ON THE TWENTY EIGHTH DAY OF THE
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LORD ONE THOUSANT SIX HUNDRED AND
EIGHTY EIGHT BY WHICH DISPOSITION AND
WRITTEN DOCUMENT OF TALLIA HE THE SAID
LORD GEORGE MACKENZIE GAVE AND
DISPOSED THE TOTAL INTEGRAL LANDS AND
BARONY OF ROYSTON INCLUDING PARTICULAR
LANDS THEREIN MENTIONED LYING WITHIN THE
VICE-COUNTY OF EDINBURGH TO MASTER JAMES
MACKENZIE HIS LEGITIMATE THIRD BORN SON
AFTERWARDS LORD JAMES MACKENZIE OF
ROYSTON AND ONE OF THE LORDS OF SESSIONS
AND TO THE LEGITIMATE MALE HEIRS
PROCREATED FROM HIS BODY WHOM FAILING
TO THE ABOVE NAMED LORD KENNETH
MACKENZIE OF CROMARTY THERIN DESIGNATED
AS MASTER KENNETH MACKENZIE HIS SECOND
SON WHO LATER BECAME LORD KENNETH
MACKENZIE OF TARBAT BARONET AND TO HIS

MALE HEIR LEGITIMATELY BEGOTTEN FROM HIS BODY WHOM FAILING TO JOHN MASTER OF TARBAT HIS ELDEST SON LATER EARL OF CROMARTY AND TO THE MALE HEIRS FROM HIS BODY WHOM FAILING TO THE MALE HEIRS BEGOTTEN OR TO BE BEGOTTEN FROM THE BODY OF THE SAID EARL WHOM FAILING TO ANY OTHER PERSON OR PERSONS NAMED BY HIM IN THE MANNER MENTIONED IN THE SAID WRIT OF TALLIE SYNGRAPHA TALLIAE WHOM FAILING TO OTHER MALE HEIRS OF THE SAID EARL WHO ALL FAILING TO HIS NEAREST HEIRS AND ASSIGNS WHOMSOEVER IN HERITAGE AND FOREVER IRREDIMABILITER WHEREFORE THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE NEAREST AND LEGITIMATE MALE HEIR OF THE SAID LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER OF THE SAID ALEXANDER MACKENZIE OF ARDLOCH HIS GREAT-GRAND-UNCLE ABAVUS AND WHO ALSO THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE NEAREST AND LEGITIMATE MALE HEIR OF THE PROVISIONS IN GENERAL OF LORD KENNETH MACKENZIE THIRD LEGITIMATE SON OF THE SAID KENNETH MACKENZIE LATER LORD KENNETH MACKENZIE SECOND LEGITIMATE SON OF THE SAID GEORGE MACKENZIE OF TARBAT BARONET LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT GREAT-GRANDSON PRONEPOS OF ALEXANDER MACKENZIE OF ARDLOCH GREAT-GRAND-FATHER ABAVUS OF THE SAID CAPTAIN LORD ALEXANDER MACKENZIE BARONET AND THAT THE SAID LORD JAMES SUTHERLAND

MACKENZIE PRESENTER OF THIS PETITION IS THE NEAREST AND LEGITIMATE MALE HEIR OF TALLIAE ET PROVISIONIS UNDER THE SAID DISPOSITION AND WRIT OF TALLIA AND ALSO HE IS THE NEAREST AND LEGITIMATE MALE HEIR TO THE GENERAL PROVISIONS OF THE SAID LORD ALEXANDER MACKENZIE HIS ONLY BROTHER AND THAT HE IS OF LEGITIMATE LEGAL AGE IN WITNESS TO THESE THINGS THE SIGNATURE OR SEAL OF SEVERAL OF THOSE WHO WERE CONCERNED IN THE SAID ENQUIRY WITH THE BREVI REGIS DEBITE EXCUTO INCLUSO AND THE SEAL OF THE SAID BAILLIE ARE HEREUNTO APPENDED TO THE PRESENT DOCUMENT IN THE PLACE AND ON THE DAY MONTH AND YEAR AFOREMENTIONED EXTRACT MADE FROM THE BOOKS OF THE ACTS OF COURT OF THE SAID BURGH BY ME CARLYLE BELL CONJ. CLERK EIGHTH OCTOBER 1841.\PAR }

10 JAMES BAILLIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\PAR L/MIL/10/26 GOVERNMENT OF INDIA RECORDS\PAR \PAR SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF

THE MADRAS SERVICE BORN 16TH MAY 1802
ARRIVED 10TH AUGUST 1824 G.O. 18TH THE
COURT ASSEMBLED AT MADRAS TO INQUIRE
INTO THE CONDUCT OF CERTAIN PASSENGERS
ON THE DUKE OF BEDFORD FIND THAT HE MADE
USE OF GROSS AND INDESCENT LANGUAGE HE
THE COM. IN CHIEF WILL NOTICE HIS CONDUCT
12TH MAY 1826 NOS 41 AND 2 LEAVE FOR 1
MONTH TO PRESIDENCY ON S.C.G.O. 8TH
NOV. 1824 LEAVE FOR 6 MONTHS TO
PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS
CLAIM TO THE TITLE OF BARONET RECOGNISED
CONS 11TH OCT. 1828NO.70 LEAVE CONTENTED
FOR REMAINING AT THE PRESIDENCY
PREPARATORY TO APPLYING FOR FURLO G.O.
10TH NOV. 1828 APP.DEP.PAYMASTER AT
BENARES G.O. 12TH FEB. 1829 HIS
APPOINTMENT AS DEP. PAYMASTER AT
DINAPORE HAVING BEEN CANCELLED BY THE
REAPPOINTMENT OF CAPTAIN THOMSON TO
THAT SITUATION HE IS PLACED AT THE COM. IN
CHIEF'S DISPOSAL FOR REGIMENTAL DUTY G.O.
7TH JULY 1830 SEE GOV.GEN. MINUTE ON CONS
2ND JULY 1830 NO 29 GRANTED LEAVE TO
PRESIDENCY FOR 4 MONTHS TO SETTLE HIS
PUBLIC ACCOUNTS G.O. 6TH AUG 1830
PERMITTED TO PROCEED TO EUROPE ON FURLO
FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830
ABSENT WITHOUT PAY G.O. 11TH OCT 1830
FURLO COMMENCED 21ST OCT 1830 \{A.L.\}
FORWARD A MEMORIAL FROM HIM
COMPLAINING OF THE LOSS OF HIS STAFF
SITUATION MIL. LETTER FROM BENGAL 14TH
OCT. 1830 \{3\}. REPORTS HIS ARRIVAL IN
ENGLAND. M OF O 22 APRIL 1831 SUBMITTS FOR
COURTS FAVORABLE CONSIDERATION THE
CIRCUMSTANCES UNDER WHICH HE HAS BEEN
DEPRIVED OF A VALUABLE STAFF SITUATION
AND HIS ELIGIBILITY FOR FURTHER DETACHED
EMPLOY AND PRAYS TO BE RESTORED TO SUCH
BENIFIT M. OF C. 4TH MAY 1831 NEGATIVED M.

OF C. 8TH JUNE 1831 SOLICITS TO BE RESTORED
TO THE STAFF SITUATION OF DEPUTY
PAYMASTER AT DINAPORE M. OF C. 6TH JULY
1831 NEGATIVED M. OF C. 3 AUG 1831
REQUESTS PERMISSION TO REMAIN M. OF C.
26TH OCT 1831 FURLO EXTENDED FOR 3
MONTHS M. OF C. 26TH OCT 1831 REQUESTS
PERMISSION TO REMAIN M. OF C. 20TH MARCH
1832 PERMITTED TO REMAIN UNTIL THE
DEPARTURE OF THE EUPHRATES ABOUT THE
MIDDLE OF APRIL M. OF C. 22ND MARCH 1832
TRANSMITS LETTER FROM MADURA ON HIS
RETURN TO HIS DUTY REQUESTING TO BE
FURNISHED WITH A SPECIAL AUTHORITY FOR
HIS READMISSION TO THE SERVICE SHOULD
SUCH DOCUMENT BE NECESSARY M. OF C. 19TH
JUNE 1832 ARRIVED AT FORT WILLIAM FROM
ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832
AQUITTED BY COURT MARTIAL ON A CHARGE OF
GROSSLY DISRESPECTFUL AND INSULTING
CONDUCT TOWARDS HIS COMMANDING
OFFICER G.O. 22 FEB. 1839 DECLARED
QUALIFIED TO DISCHARGE THE DUTIES OF
INTERPRETER IN A NATIVE CORPS AND
EXEMPTED FROM FURTHER EXAMINATION IN
THE NATIVE LANGUAGES EXCEPT BY THE
EXAMINER OF THE COLLEGE OF FORD WILLIAM
G.O. 13 JUNE 1840 APPOINTED TO THE
COMMISARIOT DEPARTMENT IN AFGHANISTAN
G.O. NOV. 1840 LEAVE FROM MARCH TO 15TH
MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O.
MARCH 1841 \PAR DIED 28TH APRIL 1841
CALCUTTA 5 MAY 1841 NO 202. \PAR }

1 1 CAPTAIN THOMSON

\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\PAR L/MIL/10/26 GOVERNMENT OF INDIA RECORDS\PAR \PAR SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF THE MADRAS SERVICE BORN 16TH MAY 1802 ARRIVED 10TH AUGUST 1824 G.O. 18TH THE COURT ASSEMBLED AT MADRAS TO INQUIRE INTO THE CONDUCT OF CERTAIN PASSENGERS ON THE DUKE OF BEDFORD FIND THAT HE MADE USE OF GROSS AND INDESCENT LANGUAGE HE THE COM. IN CHIEF WILL NOTICE HIS CONDUCT 12TH MAY 1826 NOs 41 AND 2 LEAVE FOR 1 MONTH TO PRESIDENCY ON S.C.G.O. 8TH NOV. 1824 LEAVE FOR 6 MONTHS TO PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS CLAIM TO THE TITLE OF BARONET RECOGNISED CONS 11TH OCT. 1828 NO.70 LEAVE CONTENTED FOR REMAINING AT THE PRESIDENCY PREPARATORY TO APPLYING FOR FURLO G.O. 10TH NOV. 1828 APP.DEP.PAYMASTER AT BENARES G.O. 12TH FEB. 1829 HIS APPOINTMENT AS DEP. PAYMASTER AT DINAPORE HAVING BEEN CANCELLED BY THE REAPPOINTMENT OF CAPTAIN THOMSON TO THAT SITUATION HE IS PLACED AT THE COM. IN CHIEFS DISPOSAL FOR REGIMENTAL DUTY G.O. 7TH JULY 1830 SEE GOV.GEN. MINUTE ON CONS 2ND JULY 1830 NO 29 GRANTED LEAVE TO PRESIDENCY FOR 4 MONTHS TO SETTLE HIS PUBLIC ACCOUNTS G.O. 6TH AUG 1830 PERMITTED TO PROCEED TO EUROPE ON FURLO

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ABSENT WITHOUT PAY G.O. 11TH OCT 1830
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SITUATION MIL. LETTER FROM BENGAL 14TH
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GROSSLY DISRESPECTFUL AND INSULTING
CONDUCT TOWARDS HIS COMMANDING
OFFICER G.O. 22 FEB. 1839 DECLARED
QUALIFIED TO DISCHARGE THE DUTIES OF
INTERPRETER IN A NATIVE CORPS AND
EXEMPTED FROM FURTHER EXAMINATION IN
THE NATIVE LANGUAGES EXCEPT BY THE

Sir Alexander Mackenzie of Tarbat Royston Cromarty

**EXAMINER OF THE COLLEGE OF FORD WILLIAM
G.O. 13 JUNE 1840 APPOINTED TO THE
COMMISARIOT DEPARTMENT IN AFGHANISTAN
G.O. NOV. 1840 LEAVE FROM MARCH TO 15TH
MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O.
MARCH 1841 \PAR DIED 28TH APRIL 1841
CALCUTTA 5 MAY 1841 NO 202. \PAR }**

12 BRIEF ALEXANDER MACKENZIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSETOARIAL;}}{*\GENERATOR MSFTEDIT5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\FS20 C26/6 REFERENCE CHANCERY DIVISION A BRIEF REGISTERED TO THE SCOTTISH RECORD OFFICE\PAR \PAR GENERAL SERVICE OF ALEXANDER MACKENZIE HEICS TO SIR KENNETH MACKENZIE 1826\PAR GREAT GRANDSON OF THE FATHER OF\PAR \PAR BRIEF FOR ALEXANDER MACKENZIE PRESENTLY IN THE MILITARY SERVICE OF THE HONORABLE EAST INDIA COMPANY ELDEST LAWFUL SON OF THE DECEASED COLONEL ROBERT MACKENZIE OF THE SAME SERVICE WHO WAS ELDEST LAWFUL SURVIVING SON OF ALEXANDER MACKENZIE OF ARDLOCH THE ELDEST LAWFUL SON OF JOHN MACKENZIE OF ARDLOCH WHO WAS ELDEST LAWFUL SON OF ALEXANDER MACKENZIE OF ARDLOCH YOUNGER BROTHER GERMAN OF SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST SON OF SIR JOHN MACKENZIE OF TARBAT AS NEAREST AND LAWFUL HEIR MALE IN GENERAL OF SIR KENNETH MACKENZIE SECOND LAWFUL SON OF KENNETH MACKENZIE AFTERWARDS DESIGNED SIR KENNETH SECOND LAWFUL SON OF THE SAID SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY IN AND CONFORM TO THE DESTINATION IN TERMS OF A ROYAL CHARTER OR PATENT 29 APRIL 1704 OF THE TITLE OF BARONET OF NOVA SCOTIA IN FAVOUR OF THE SAID KENNETH MACKENZIE SECOND LAWFUL SON OF THE SAID SIR GEORGE MACKENZIE OF TARBAT BART AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL

Sir Alexander Mackenzie of Tarbat Royston Cromarty

**OF CROMARTY AND HIS HEIRS MALE FOR EVER
\PAR SHERIFF OF ROSS\PAR }**

13 PETITION ALEXANDER MACKENZIE

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FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}
{*\GENERATOR MSFTEDIT
5.41.15.1507;} \VIEWKIND4\UC1\PAR\F0\Fs20
SCOTTISH RECORD OFFICE REFERENCE
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RETOURS C24/103 NO 33\PAR \PAR THIS
ENQUIRY WAS MADE IN THE CURIA COURT OF
THE VICE-COUNTY OF ROSS ON THE SIXTEENTH
DAY OF THE MONTH OF SEPTEMBER IN THE YEAR
OF THE LORD ONE THOUSANT EIGHT HUNDRED
AND NINE BEFORE THE HONOURABLE MAN
JOHN BARCLAY VICE-COUNTY OF ROSS AND
THROUGH OR BY THESE HONEST FAITHFUL MEN
WHOS PATRNYMS ARE SIGNED BELOW TO WIT
GEORGE SACKVILLE SUTHERLAND RESIDENT OF
RHIVES MISTER GEORGE MURRAY MERCHANT IN
TAIN MISTER WILLIAM MURRAY MERCHANT IBID
JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN
MCINTOSH MERCHANT IBID DUNCAN ROSS
MERCHANT IBID HUGO OR HUGH MACKENZIE
MERCHANT IBID DONALD ROSS MERCHANT IBID
JAMES ROSS MERCHANT IBID DONALD ROSS
JUNIOR MERCHANT IBID DRUM MANSEN
MERCHANT IBID JOHN MCPHERSON MERCHANT
IBID MISTER JOHN BLACK SCRIBE CLERK IBID
JAMES ROBERTSON SURGEON IBID LIEUTENANT
JOHN MUNRO RESIDENT IBID THESE PERSONS
HAVING BEEN SWORN IN MAGNO SACRAMENTO
INTERVENIENTE DECLARED THAT A CERTAIN
LIETENANT-COLONEL ROBERT MACKENZIE IN
THE SERVICE OF THE HONOURABLE SOCIETY OF
THE MERCHANTS OF THE EAST INDIES IS THE
FATHER OF ALEXANDER MACKENZIE
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SAID LT-COL. ROBERT MACKENZIE WAS THE
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SPECIALLY CONSTITUTED ARE APPENDED TO
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THOMAS SUTOR CLERK. \PAR }

14 GEORGE SACKWELL SUTHERLAND

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20 SCOTTISH RECORD OFFICE REFERENCE C22/101 CROSS REFERENCE TO ORIGINAL RETOURS C24/103 NO 33\PAR \PAR THIS ENQUIRY WAS MADE IN THE CURIA COURT OF THE VICE-COUNTY OF ROSS ON THE SIXTEENTH DAY OF THE MONTH OF SEPTEMBER IN THE YEAR OF THE LORD ONE THOUSANT EIGHT HUNDRED AND NINE BEFORE THE HONOURABLE MAN JOHN BARCLAY VICE-COUNTY OF ROSS AND THROUGH OR BY THESE HONEST FAITHFUL MEN WHOS PATRNYMS ARE SIGNED BELOW TO WIT GEORGE SACKVILLE SUTHERLAND RESIDENT OF RHIVES MISTER GEORGE MURRAY MERCHANT IN TAIN MISTER WILLIAM MURRAY MERCHANT IBID JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN MCINTOSH MERCHANT IBID DUNCAN ROSS MERCHANT IBID HUGO OR HUGH MACKENZIE MERCHANT IBID DONALD ROSS MERCHANT IBID JAMES ROSS MERCHANT IBID DONALD ROSS JUNIOR MERCHANT IBID DRUM MANSER MERCHANT IBID JOHN MCPHERSON MERCHANT IBID MISTER JOHN BLACK SCRIBE CLERK IBID JAMES ROBERTSON SURGEON IBID LIEUTENANT JOHN MUNRO RESIDENT IBID THESE PERSONS HAVING BEEN SWORN IN MAGNO SACRAMENTO INTERVENIENTE DECLARED THAT A CERTAIN LIETENANT-COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE SOCIETY OF THE MERCHANTS OF THE EAST INDIES IS THE FATHER OF ALEXANDER MACKENZIE PRESENTER OF THESE PRESENT PETITION THE SAID LT-COL. ROBERT MACKENZIE WAS THE LEGITIMATE FIRST BORN SON OF THE LATE

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15 BARONY OF ROYSTON

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MSFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20 SCOTTISH RECORD OFFICE REFERENCE C22/101 CROSS REFERENCE TO ORIGINAL RETOURS C24/103 NO 33\PAR \PAR THIS ENQUIRY WAS MADE IN THE CURIA COURT OF THE VICE-COUNTY OF ROSS ON THE SIXTEENTH DAY OF THE MONTH OF SEPTEMBER IN THE YEAR OF THE LORD ONE THOUSANT EIGHT HUNDRED AND NINE BEFORE THE HONOURABLE MAN JOHN BARCLAY VICE-COUNTY OF ROSS AND THROUGH OR BY THESE HONEST FAITHFUL MEN WHOS PATRNYMS ARE SIGNED BELOW TO WIT GEORGE SACKVILLE SUTHERLAND RESIDENT OF RHIVES MISTER GEORGE MURRAY MERCHANT IN TAIN MISTER WILLIAM MURRAY MERCHANT IBID JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN MCINTOSH MERCHANT IBID DUNCAN ROSS MERCHANT IBID HUGO OR HUGH MACKENZIE MERCHANT IBID DONALD ROSS MERCHANT IBID JAMES ROSS MERCHANT IBID DONALD ROSS JUNIOR MERCHANT IBID DRUM MANSEN MERCHANT IBID JOHN MCPHERSON MERCHANT IBID MISTER JOHN BLACK SCRIBE CLERK IBID JAMES ROBERTSON SURGEON IBID LIEUTENANT

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16 KILMUIR EASTER

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{\COLORTBL;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20 ALEXANDER MACKENZIES BIRTH COPY FROM ST ANDREWS CHURCH EDINBURGH \PAR COURT OF DIRECTORS HELD ON WEDNESDAY THE 17TH NOVEMBER 1819\PAR RESOLVED THAT THE CADETS AND ASSISTANT SURGEONS BE DIRECTED TO PRESENT THEMSELVES AT THE CADET OFFICE WITH THERE CERTIFICATES PROPERLY FILLED UP AND SIGNED BY TEN O CLOCK IN THE MORNING OR SOON AFTER AS

POSSIBLE IN ORDER THAT THEY MAY FILL UP THEIR PETITIONS AND HAVE THEIR NOMINATIONS PREPARED AGAINST THE COMMITTEE MEET OR THE NOMINATING DIRECTOR ARRIVES\PAR \PAR THE FOLLING PRINTED FORMS OF CERTIFICATES MUST BE PROPERLY FILLED UP AND SIGNED BY ALL THE PARTIES THEREIN ALLUDED TO BEFORE THE CADET ATTENDS TO BE PASSED OTHERWISE HE WILL EXPERIENCE MUCH DELAY IN GETTING THROUGH THE NECESSARY FORMS TO INSURE HIS EARLY EMBARCATION\PAR \PAR THESE FORMS ARE PRINTED EXPRESSLY FOR THE PURPOSE OF THE BLANKS BEING PROPERLY FILLED UP AND SIGNED PREVIOUS TO THE CADETS BEING PASSED\PAR \PAR \fs40 FIRST\PAR \fs16\PAR \fs20 EXTRACT FROM THE REGISTER BOOK OF BIRTHS AND BAPTISMS OF THE PARISH OF ST ANDREWS IN THE CITY OF EDINBURGH COLONEL ROBERT MCKENZIE SOMETIMES IN THE SERVICE OF THE HONOURABLE THE EAST INDIA COMPANY AND MRS KATHARINE SUTHERLAND HIS SPOUSE A SON BORN THE SIXTEENTH DAY OF MAY EIGHTEEN HUNDRED AND TWO ST ANDREWS PARISH AND BAPTISED BY THE REVERENT DOCTOR MOODIE NAMED ALEXANDER EXPANDED BY ROBERT BOW SESSION CLERK 16TH JANUARY 1824 ANDREW GRANT MINISTER WALTER COOP ELDER WAL DICKSON ELDER\PAR \PAR NB THE ABOVE EXTRACT MUST BE SIGNED BY THE RESIDENT CLERGYMAN AND COUNTERSIGNED BY THE CHURCH WARDENS OR IF IN SCOTLAND BY THE SESSION CLERK AND TWO ELDERS\PAR \PAR \fs40 SECOND\fs20\PAR \PAR THE PARENTS OR GUARDIANS CERTIFICATE\PAR \PAR I DO HEREBY CERTIFY THAT THE FOREGOING EXTRACT FROM THE REGISTER OF BIRTHS AND

BAPTISMS OF THE PARISH OF ST ANDREWS IN THE COUNTY IN THE CITY OF EDINBURGH CONTAINS THE DATE OF THE BIRTH AND BAPTISM OF MY SON ALEXANDER MACKENZIE WHO IS THE BEARER OF THIS AND NOMINATED A CADET ON THE BENGAL ESTABLISHMENT BY COLONEL JOHN BAILLIE AND I DO FURTHER DECLARE THAT I RECEIVED THE SAID APPOINTMENT FOR MY SON ALEXANDER MACKENZIE FRM COLONEL BAILLIE GRATUITOUSLY AND THAT NO MONEY OR OTHER VALUABLE CONSIDERATION HAS BEEN OR IS TO BE PAID EITHER DIRECTLY OR INDIRECTLY FOR THE SAME AND THAT I WILL NOT PAY OR CAUSE TO BE PAID EITHER BY MYSELF BY MY SON OR BY THE HANDS OF ANY OTHER PERSON ANY PECUNIARY OR VALUABLE CONSIDERATION WHATSOEVER TO ANY PERSON OR PERSONS WHO HAVE INTERESTED THEMSELVES IN PROCURING THE SAID NOMINATION FOR MY SON FROM THE DIRECTOR ABOVE MENTIONED\PAR \PAR WITNESS MY HAND THIS SIXTEENTH DAY OF JANUARY IN THE YEAR OF OUR LORD EIGHTEEN HUNDRED AND TWENTY FOUR\PAR \PAR THE PARENT OR NEAREST OF KIN OR GUARDIAN TO SIGN AT FULL LENGTH \cf1 \fs32 KATHARINE MACKENZIE \PAR \PAR \cf2 \fs20 ST ANDREWS AND ST GEORGE ON THE NORTH SIDE OF GEORGE STREET IS A DISTINCTIVE BUILDING IN THE REFINED CLASSICAL STYLE WITH A PEDIMENTED PORTICO AND SPIRE 168 FEET HIGH THE CHURCH THE FIRST OVAL BUILDING FOR WORSHIP IN BRITAIN WAS BUILT BY WILLIAM PIRNIE TO THE DESIGN OF MAJOR ANDREW FRAZER OF THE ENGINEERS AND OPENED ON 12TH DECEMBER 1784 THE SPIRE DESIGNED BY WILLIAM SIBBALD WAS READY BY 1789 WHEN BELLS WERE INSTALLED THE VESTRY ON THE NORTH-WEST SIDE WAS ORIGINALLY A SESSION ROOM BUILT AT THE

EXPENSE OF JOHN YOUNG ARCHITECT IN 1788 THE PULPIT WHICH REPLACED THE ORIGINAL IN 1952 IS ON THE CENTRE OF THE NORTH SIDE ON A RAISED PLATFORM THE COMMUNION TABLE CAME FROM ST GEORGES THE ORGAN WELLS-KENNEDY 2-MANUAL (1984) IS IN THE GALLERY ON THE SOUTH SIDE ROUND THE BACK OF THE CHURCH ARE BOX PEWS AND THE CENTRE AREA HAS CHAIRS THE CHURCH IS DECORATED WITH ADAM DESIGN AND CEILING IS PARTICULARLY BEATIFUL THE STAINED GLASS IN THE WINDOWS DATES FROM 1890 BELOW THE CHURCH IS THE UNDERCROFT A SUITE OF HALLS OFFICE AND CHAPEL OPENED IN MAY 1975 THE BUILDING IS A-LISTED THE MANSE IS AT 12 HERRIOT ROW THE CHURCH HAS FOUR COMMUNION CUPS 1785 THE BAPTISMAL BOWL IS DATED 1837 BY 1780 IT WAS APPARENT THAT A CHURCH WOULD BE REQUIRED FOR THE INCREASING POPULATION OF THE NEW TOWN OF EDINBURGH AND ON 25TH APRIL OF THAT YEAR JAMES HUNTER BLAIR LATER LORD PROVOST PROPOSED THE ERECTION OF A NEW CHURCH AND PARISH THE TOWN COUNCIL UNANIMOUSLY SO RESOLVED ON 31ST JANUARY 1781 THE FOUNDATION STONE WAS LAID ON 21ST MARCH 1781 AND THE CHURCH OPENED ON 12TH DECEMBER 1784 IT COST \ 'A37000 AND HAD APPROXIAMATELY 1000 SITINGS IN THE PEAL OF EIGHT BELLS BY MEARS RUNG IN THE ENGLISH MANNER WAS INSTALLED THESE INSPIRED LADY NAIRNS CALLER HERRIN THE NEW TOWN AREA HAD BEEN DETACHED FROM THE PARISH OF ST CUTHBERTS AND ADDED TO THE PARISH OF EDINBURGH AND NOW WAS GIVEN TO ST ANDREWS AS AN AREA OF RESPONSIBILITY THE STIPEND WAS PROVIDED FROM THAT OF THE SECOND CHARGE OF TRINITY COLLEGE IN 1880 A PETER CONACHER 3-MANUAL ORGAN WAS

INSTALLED IN THE EARLY YEARS OF THE 19TH CENTURY ST ANDREWS WAS THE MOST INFLUENTIAL CHURCH IN EDINBURGH UNTIL THAT HONOUR PASSED TO ST GEORGES IN THE MINISTRY OF ANDREW MITCHEL THOMSON THERE WAS A SECOND CHARGE FROM 1801 UNTIL 1860 THE GENERAL ASSEMBLIES OF 1841 1842 AND 1843 WERE HELD IN ST ANDREWS AND IT WAS THE SCENE OF THE DISRUPTION THE SECEDING MINISTERS AND ELDERS WALKED DOWN HANOVER STREET DUNDAS STREET AND PITT STREET TO TNFIELD HALL AT CANON MILLS JOHN BRUCE MINISTER OF ST ANDREWS JOINED THE FREE CHURCH SOMEWHAT HESITANTLY WITH ONE ELDER AND 200 OR 300 OF THE CONGREGATION THEY FORMED FREE ST ANDREWS AND WORSHIPED FROM MAY 1844 IN A CHURCH BUILT ON THE BACK GREEN OF 80 GEORGE STREET\PAR 1787 WILIAM MOODIE FROM KIRKCALDY PROF. HEBREW IN CONJUNCT 1793 DD 1798 MOD. GA 1799 ORIENTAL SCHOLAR AND GOOD PASTOR DIED 1812 (FES I 88)\PAR \PAR 1801 DAVID RICHIE ASSISTANT MINISTER 1798 MINISTER OF KILMARNOCK 1800-1 MINISTER OF SECOND CHARGE 1801 INTELLECTUAL PREACHER MODERATE JUNIOR CLERK GA 1802-8 PROF. OF LOGIC IN CONJUNCT 1808-36 DD 1813 MOD GA 1814 DIED 1844 (FESI 90)\PAR \PAR 1813 ANDREW GRANT DD MOD GA 1808 FROM TRINITY COLLEGE CHAPLAIN TO GEORGE III GEORGE IV WILLIAM IV DEAN OF CHAPEL ROYAL 1820 JOINT COLLECTOR OF WIDOWS FUND 1827 SOLE COLLECTOR 1835 DIED 1836 (FES I 89) \PAR \PAR \fs28 PARISH EDINBURGH DISTRICT 685 MIDLOTHIAN\PAR \fs24 EXTRACT OF ENTRIES IN AN OLD PAROCHIAL REGISTER PARISH OF EDINBURGH COUNTY OF MIDLOTHIAN\PAR REGISTRATION OF BIRTH\PAR ST ANDREWS PARISH OPR VOLUME 685/55 PAGE 308 FRAME 2791 PAGE 308

EDINBURGH 1 SEPTEMBER 1820\PAR COLONEL
ROBERT MCKINZIE SOMETIME OF THE SERVICE
OF THE HONORABLE THE EAST INDIA COMPANY
AND MRS CATHERINE SUTHERLAND HIS SPOUSE
A SON BORN THE 16TH MAY 1802 ST ANDREWS
PARISH AND BAPTISED BY THE REVERENT DR
MOODIE NAMED ALEXANDER\PAR A DAUGHTER
BORN 16TH JUNE 1803 SAME PARISH NAMED
ELIZABETH BAILLIE\PAR \PAR \Fs32 IGI
INTERNATIONAL GENEALOGICAL INDEX\PAR
\Fs24 BATCH SHEET ENTRY NUMBER 7202657
09\PAR SOURCE CALL NUMBER 820191\PAR
TYPE FILM\PAR ALEXANDER MCKINZIE\PAR SEX
MALE\PAR EVENT CHRISTENING 2 SEPTEMBER
1820 EDINBURGH MIDLOTHIAN SCOTLAND\PAR
FATHER ROBERT MCKINZIE\PAR MOTHER
CATHERINE MRS. SUTHERLAND\PAR \PAR \Fs32
IGI INTERNATIONAL GENEALOGICAL INDEX\PAR
\Fs24 BATCH SHEET ENTRY NUMBER
7202657\PAR SOURCE CALL NUMBER
0820191\PAR SHEET 09\PAR TYPE FILM
ALEXANDER MCKINZIE\PAR SEX MALE\PAR
EVENT BIRTH 16TH MAY 1809\PAR CHRISTENING
02 SEPTEMBER 1820 EDINBURGH MIDLOTHIAN
SCOTLAND\PAR PARENTS\PAR FATHER ROBERT
MCKINZIE\PAR MOTHER CATHERINE
MRS.SUTHERLAND\PAR \PAR \Fs32 IGI
INTERNATIONAL GENEALOGICAL INDEX\PAR
\Fs24 BATCH SHEET NUMBER C119835\PAR
SOURCE CALL NUMBER 1066691, 0103041\PAR
PRINT CALL OUT NUMBER 6900814\PAR TYPE
FILM\PAR YEAR 1820-27\PAR ALEXANDER
MCKINZIE\PAR SEX MALE\PAR EVENT BIRTH 16
MAY 1802 EDINBURGH PARISH EDINBURGH
MIDLOTHIAN SCOTLAND\PAR PARENTS\PAR
FATHER ROBERT COLONEL MCKINZIE\PAR
MOTHER CATHERINE SUTHERLAND\PAR \PAR
\Fs32 IGI INTERNATIONAL GENEALOGICAL
INDEX\PAR \Fs24 BATCH SHEET NUMBER

C110692\PAR SOURCE CALL NUMBER
0990585\PAR PRINT CALL NUMBER
6902449\PAR TYPE FILM\PAR ALEXANDER
MCKENZIE\PAR SEX MALE\PAR EVENT BIRTH
16TH MAY 1802 KILMUIR-EASTER ROSS AND
CROMARTY SCOTLAND\PAR PARENTS\PAR
FATHER ROBERT MCKENZIE\PAR MOTHER
KATHRINE SUTHERLAND\PAR \PAR \fs32
PARISH EASTER-KILMUIR DISTRICT 69/1\PAR
\fs24 EXTRACT OF ENTRIES KILMUIR-EASTER
COUNTY ROSS AND CROMARTY\PAR OLD
PAROCHIAL REGISTER\PAR BIRTHS \PAR
MCKENZIE AND SUTHERLAND\PAR 4TH
NOVEMBER 1811 THE FOLLOWING ARE THE
DATES OF THE BIRTHS OF THE CHILDREN OF
COLONEL ROBERT MCKENZIE OF
MILLMOUNT\PAR 16TH MAY 1802 COLONEL
ROBERT MCKENZIE OF MILLMOUNT HAD BY HIS
SPOUSE KATHRINE SUTHERLAND A CHILD
BAPTISED NAMED ALEXANDER BORN IN CASTLE
STREET EDINBURGH\PAR 16TH JUNE 1803
COLONEL ROBERT MCKENZIE OF MILLMOUNT
HAD BY HIS SPOUSE MRS KATHRINE
SUTHERLAND A CHILD BAPTISED NAMED
ELIZABETH BAILLIE BORN IN GEORGE STREET
EDINBURGH\PAR 16TH AUGUST 1804 COLONEL
ROBERT MCKENZIE OF MILLMOUNT HAD BY HIS
SPOUSE MRS KATHRINE SUTHERLAND A CHILD
BAPTISED NAMED MARGARET SUTHERLAND
BORN AT MILLMOUNT IN THIS PARISH\PAR 21ST
JULY 1805 COLONEL ROBERT MCKENZIE OF
MILNMOUNT HAD BY HIS SPOUSE MRS KATHRINE
SUTHERLAND A CHILD BAPTISED NAMED JAMES
SUTHERLAND BORN AT MILLMOUNT IN THIS
PARISH\PAR ATTESTED BY DONALD MCKENZIE
S.C.\PAR \PAR \cf1\fs32\PAR \cf0\fs20\PAR }

17 MAJOR R. A. THOMAS

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1033{\FONTTBL{\F0\FSWISS\FCHARSETO
ARIAL;}}{\COLORTBL
;\RED255\GREEN0\BLUE0;\RED0\GREEN0\B
LUE0;}{*\GENERATOR MSFTEDIT
5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\FS2
0 MILITARY HONOURABLE EAST INDIA COMPANY
BENGAL COMPANY 48TH NATIVE
INFANTRY\PAR L/MIL/10/26 GOVERNMENT OF
INDIA RECORDS\PAR \PAR SIR ALEXANDER
MACKENZIE BART NOMINATED BY J. BAILLIE ESQ
AT THE RECOMMENDATION OF CADETS MOTHER
WIDOW OF COL.R.MACKENZIE FORMERLY OF
THE MADRAS SERVICE BORN 16TH MAY 1802
ARRIVED 10TH AUGUST 1824 G.O. 18TH THE
COURT ASSEMBLED AT MADRAS TO INQUIRE
INTO THE CONDUCT OF CERTAIN PASSENGERS
ON THE DUKE OF BEDFORD FIND THAT HE MADE
USE OF GROSS AND INDESCENT LANGUAGE HE
THE COM. IN CHIEF WILL NOTICE HIS CONDUCT
12TH MAY 1826 NOS 41 AND 2 LEAVE FOR 1
MONTH TO PRESIDENCY ON S.C.G.O. 8TH
NOV. 1824 LEAVE FOR 6 MONTHS TO
PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS
CLAIM TO THE TITLE OF BARONET RECOGNISED
CONS 11TH OCT. 1828NO.70 LEAVE CONTENTED
FOR REMAINING AT THE PRESIDENCY
PREPARATORY TO APPLYING FOR FURLO G.O.
10TH NOV. 1828 APP.DEP.PAYMASTER AT
BENARES G.O. 12TH FEB. 1829 HIS
APPOINTMENT AS DEP. PAYMASTER AT
DINAPORE HAVING BEEN CANCELLED BY THE

REAPPOINTMENT OF CAPTAIN THOMSON TO
 THAT SITUATION HE IS PLACED AT THE COM. IN
 CHIEFS DISPOSAL FOR REGIMENTAL DUTY G.O.
 7TH JULY 1830 SEE GOV.GEN. MINUTE ON CONS
 2ND JULY 1830 NO 29 GRANTED LEAVE TO
 PRESIDENCY FOR 4 MONTHS TO SETTLE HIS
 PUBLIC ACCOUNTS G.O. 6TH AUG 1830
 PERMITTED TO PROCEED TO EUROPE ON FURLO
 FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830
 ABSENT WITHOUT PAY G.O. 11TH OCT 1830
 FURLO COMMENCED 21ST OCT 1830 \{A.L.\}
 FORWARD A MEMORIAL FROM HIM
 COMPLAINING OF THE LOSS OF HIS STAFF
 SITUATION MIL. LETTER FROM BENGAL 14TH
 OCT. 1830 \{3\}. REPORTS HIS ARRIVAL IN
 ENGLAND. M OF O 22 APRIL 1831 SUBMITTS FOR
 COURTS FAVORABLE CONSIDERATION THE
 CIRCUMSTANCES UNDER WHICH HE HAS BEEN
 DEPRIVED OF A VALUABLE STAFF SITUATION
 AND HIS ELIGIBILITY FOR FURTHER DETACHED
 EMPLOY AND PRAYS TO BE RESTORED TO SUCH
 BENIFIT M. OF C. 4TH MAY 1831 NEGATIVED M.
 OF C. 8TH JUNE 1831 SOLICITS TO BE RESTORED
 TO THE STAFF SITUATION OF DEPUTY
 PAYMASTER AT DINAPORE M. OF C. 6TH JULY
 1831 NEGATIVED M. OF C. 3 AUG 1831
 REQUESTS PERMISSION TO REMAIN M. OF C.
 26TH OCT 1831 FURLO EXTENDED FOR 3
 MONTHS M. OF C. 26TH OCT 1831 REQUESTS
 PERMISSION TO REMAIN M. OF C. 20TH MARCH
 1832 PERMITTED TO REMAIN UNTIL THE
 DEPARTURE OF THE EUPHRATES ABOUT THE
 MIDDLE OF APRIL M. OF C. 22ND MARCH 1832
 TRANSMITS LETTER FROM MADURA ON HIS
 RETURN TO HIS DUTY REQUESTING TO BE
 FURNISHED WITH A SPECIAL AUTHORITY FOR
 HIS READMISSION TO THE SERVICE SHOULD
 SUCH DOCUMENT BE NECESSARY M. OF C. 19TH
 JUNE 1832 ARRIVED AT FORT WILLIAM FROM
 ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832
 AQUITTED BY COURT MARTIAL ON A CHARGE OF
 GROSSLY DISRESPECTFUL AND INSULTING
 CONDUCT TOWARDS HIS COMMANDING

OFFICER G.O. 22 FEB. 1839 DECLARED
QUALIFIED TO DISCHARGE THE DUTIES OF
INTERPRETER IN A NATIVE CORPS AND
EXEMPTED FROM FURTHER EXAMINATION IN
THE NATIVE LANGUAGES EXCEPT BY THE
EXAMINER OF THE COLLEGE OF FORD WILLIAM
G.O. 13 JUNE 1840 APPOINTED TO THE
COMMISARIOT DEPARTMENT IN AFGHANISTAN
G.O. NOV. 1840 LEAVE FROM MARCH TO 15TH
MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O.
MARCH 1841 \PAR DIED 28TH APRIL 1841
CALCUTTA 5 MAY 1841 NO 202. \PAR \PAR SIR
ALEXANDER MACKENZIE SIXTH BARONET (1802-
1841) CAPTAIN 48TH N.I. BORN EDINBURGH
16TH MAY 1802 CADET 1823 ARRIVED INDIA 10
AUGUST 1824 ENSIGN 10 FEBRUARY 1824
LIEUTENANT 13 MAY 1825 CAPTAIN 1 MARCH
1840 DIED CALCUTTA INDIA BURIED OLD
CIRCULAR ROAD 28TH APRIL 1841 \PAR \PAR
6TH BARONET OF TARBAT SERVED HEIR MALE
TO HIS GREAT-GREAT-GRANDUNCLE GEORGE 1ST
EARL OF CROMARTY 17TH AUGUST 1826
ASSUMED THE DORMANT BARONETRIES OF
TARBAT OF GRANDVILLE AND CROMARTY AND
OF ROYSTON 20 OCTOBER 1826 ELDER SON OF
ROBERT MACKENZIE OF MILNMOUNT Q.V. AND
KATHARINE HIS 2ND WIFE EDUCATED
EDINBURGH HIGH SCHOOL \PAR \PAR
SERVICES: POSTED ENSIGN TO 48TH NATIVE
INFANTRY DEPUTY PAYMASTER AT BENARES 12
FEBRUARY 1829 TILL 7TH JULY 1830 FURLOW
P.A. 21 OCTOBER 1830 TILL 14 SEPTEMBER 1832
FIRST AFGHAN WAR 1839-40 CAPTURE OF
GHAZNI 1839 LIEUTENANT 48TH NATIVE
INFANTRY APPOINTED TO COMMISSARIOT
DEPARTMENT AFGHANISTAN 26TH NOVEMBER
1840 LEAVE S.C. TO CALCUTTA 1 MARCH
1841 \PAR \PAR REFERENCES BURKES
PEERAGE 1923 PAGE 1472 S.N. MACKENZIE
BARONET OF SCATWEL COUNTY ROSSHIRE
ASIATIC JOURNAL NEW SERIES XXIX

GENTLEMANS MAGAZINE 1841 II 334 M.I.
CIRCULAR ROAD CEMETARY CALCUTTA NEW
BURIAL GROUND CIRCULAR ROAD PAGE 280
MONUMENTAL INSCRIPTIONS CALCUTTA \CF 1
IN MEMORY OF SIR ALEXANDER MACKENZIE OF
TARBAT AND ROYSTON KNIGHT BARONET
CAPTAIN IN THE 48TH REGIMENT NATIVE
INFANTRY BORN MAY 16TH 1802 DIED APRIL
28TH 1841 \PAR \PAR \CF2 ENTRY NUMBER 553
INDIA GOVERNMENT PAPERS \PAR FROM ACTING
THE ADJUTANT GENERAL OF THE ARMY TO THE
SECRETARY TO THE GOVERNMENT OF INDIA IN
THE MILITARY DEPARTMENT CALCUTTA 29TH
APRIL 1841 SIR I HAVE THE HONOUR TO REPORT
FOR THE INFORMATION OF THE GOVERNMENT
THE DEATH AT CALCUTTA ON THE 28TH INSTANT
OF CAPTAIN SIR ALEXANDER MACKENZIE
BARONET OF THE 48TH REGIMENT OF NATIVE
INFANTRY AND TO SUBMIT THE ANNEXED
MEMORANDUM OF THE CONSEQUENT
PROMOTION I HAVE THE HONOR TO BE SIR YOUR
OBEDIENT SERVANT SIGNED ACTING ADJUTANT
GENERAL OF THE ARMY \PAR MEMORANDUM
(GENERAL ORDERS ENTRY NO 111 OF 5 MAY
1841) \PAR THE RIGHT HONOURABLE THE
GOVERNOR GENERAL OF INDIA IN COUNCIL IS
PLEASED TO MAKE THE FOLLOWING
PROMOTIONS \PAR 48TH NATIVE INFANTRY
LIEUTENANT HENRY DAVID VANHOMIGH TO BE
CAPTAIN OF A COMPANY ENSIGN THEOPHILIS
GREEN TO BE LIEUTENANT FROM THE 28TH
APRIL 1841 IN SUCCESSION TO CAPTAIN SIR
ALEXANDER MACKENZIE BARONET DECEASED
SIGNED ACTING ADJUTANT GENERAL OF THE
ARMY REPORTS THE DEATH OF CAPTAIN SIR
ALEXANDER MACKENZIE BART 48TH NATIVE
INFANTRY AND ANNEXES A MEMORANDUM OF
THE CONSEQUENT PROMOTIONS. REPORT 30TH
APRIL 1841 \PAR \PAR SERVICE RECORD
GOVERNMENT OF INDIA PAGE 540. \PAR \PAR
\FS32 GENERAL ORDERS \PAR \FS24 BY HIS
EXCELLENCY THE COMMANDER IN CHIEF \PAR
\FS20 HEAD QUARTERS CALCUTTA 26TH

NOVEMBER 1840 \PAR BY THE RIGHT
HONORABLE THE GOVERNMENT GENERAL OF
INDIA IN COUNCIL \PAR FORT WILLIAM 24TH
NOVEMBER 1840 \PAR \PAR NO. 249 OF 1840—
CAPTAIN WILLIAM MCDOWEL HOPER OF THE
57TH REGIMENT NATIVE INFANTRY IS
PERMITTED TO PROCEED TO THE CAPE OF GOOD
HOPE ON MEDICAL CERTIFICATE AND TO BE
ABSCENT FRO BENGAL ON THAT ACCOUNT FOR
TWO YEARS \PAR SIGNED J. STUART
LIEUTENANT. COLONEL \PAR SECRETARY TO
THE GOVERNMENT OF INDIA MILITARY
DEPARTMENT \PAR \PAR \FS32 BY THE
COMMANDER IN CHIEF \FS20 \PAR \PAR THE
FOLLOWING ORDERS ARE WITH THE SANCTION
OF THE RIGHT HONORABLE THE GOVERNOR
GENERAL OF INDIA IN COUNCIL
CONFIRMED \PAR \PAR THE ORDERS BY MAJOR
GENERAL SIR W. COTTON G.C.B. AND K.C.H.
COMMANDING THE BRITISH TROOPS IN
AFGHANISTAN DATED THE 18TH ULTIMO
DIRECTING LIEUTENANT J.N. RINO OF THE 37TH
REGIMENT OF NATIVE INFANTRY TEMPORARY
ARRANGEMENT TO CONDUCT THE
COMMISSARIOT DUTIES WITH FORCE UNDER THE
ORDRS OF MAJOR GENERAL SIR R.H. SALE K.C.B.
ON THE DEMISE OF CAPTAIN R. RABAN OF THE
48TH NATIVE INFANTRY \PAR \PAR THE ORDERS
BY MAJOR GENERAL SIR W. COTTON G.C.B. AND
K.G.H. COMMANDING THE BRITHISH TROOPS IN
AFGHANISTAN DATED THE 18TH ULTIMO
APPOINTING CAPTAIN SIR ALEXANDER
MACKENZIE BART OF THE 48TH REGIMENT OF
NATIVE INFANTRY TO THE COMMISSARIAT
DEPARTMENT IN AFGHANISTAN VICE CAPTAIN
RABAN DECEASED \PAR \PAR THE ORDER BY
CAPTAIN S.F. HANNAY COMMANDING THE
ASSAM LIGHT INFANTRY BATTALION DATED THE
10TH ULTIMO APPOINTING AS A TEMPORARY
MEASURE LIEUTENANT W.O. HARRIS TO ACT AS
2ND IN COMMAND TO THE CORPS \PAR \PAR

THE DETACHMENT ORDER BY LIEUTENANT COLONEL R.E.CHAMBERS DATED THE 22ND ULTIMO DIRECTING THE COMMISSARIAT TO SUPPLY 2 FOUR BULLOCK HACKERIES FOR THE CARRIAGE TO FEROZEPORE OF THE CLOTHING AND COMPANY OF MEN OF THE 5TH REGIMENT OF LIGHT CAVALRY ON FURLOUGH\PAR \PAR THE FOLLOWING ORDERS ARE CONFIRMED\PAR THE AGRA GARRISON ORDER OF THE FIRST INSTANCE DIRECTING HOSPITAL APPRENTICE J.GOODALL TO ACT AS ASSISTANT APOTHECARY TO THE DEPOT OF THE 1ST EUROPEAN REGIMENT DURING ITS MARCH TO CAWNPORE AND REQUIRING APPRENTICE M.TWOOMY TO DO DUTY THE DEPOT\PAR \PAR THE STATION ORDER BY CAPTAIN H.J.HUXON COMMANDING AT ALLYGURH DATED THE 4TH INSTANT DIRECTING LIEUTENANT AND ACTING ADJUTANT W.B.LEGARD OF THE LEFT WING 31ST REGIMENT OF NATIVE INFANTRY TO ACT AS STATION STAFF\PAR \PAR THE ORDER BY BRIGADIER J.SHELTON COMMANDING AT FEROZEPORE DATED THE 7TH INSTANT APPOINTING AS A TEMPORARY ARRANGEMENT CAPTAIN W.MACKINTOSH OF THE 5TH REGIMENT OF NATIVE INFANTRY TO ACT AS BRIGADE MAJOR AT THE STATION VICE CAPTAIN GRANT\PAR \PAR 2ND LIEUTENANT R.B.SMITH OF THE CORPS OF ENGINEERS WHO WAS DIRECTED TO JOIN THE 6TH COMPANY OF SAPPERS AND MINERS AT DACCA IN THE GENERAL ORDERS OF THE 28TH OF SEPTEMBER LAST WILL PROCEED WITH IT FROM THAT STATION TO BENARES BY WATER WHERE THE COMPANY WILL BE DISEMBARKED AND AFTERWARDS MARCHED TO THE HEAD QUARTERS OF THE CORPS\PAR \PAR \FS28 FORT WILLIAM\PAR \FS20 18TH MARCH 1839\PAR 48TH REGIMENT NATIVE INFANTRY\PAR CHARGE\PAR \PAR WITH CONDUCT HIGHLY UNLIKE AN OFFICER AND AS A GENTLEMAN AND GROSSLY DISREPECTFUL INSULTING TO MAJOR R.A.THOMAS OF THE SAME REGIMENT HIS THEN IMMEDIATE COMMANDING

OFFICER ON THE MORNING OF THE 13TH OF JANUARY 1839 THE MAJOR BEING IN COMMAND OF A WING OF THE SAID REGIMENT AND IN CHARGE OF MEASURE THEN IN CAMP WITH THE 1ST BRIGADE 1ST DIVISION BENGAL COLOMN ARMY OF THE INDIES IN THE FOLLOWING INSTANCES\PAR 1ST INSTANCE IN HAVING WHEN ASKED BY THE MAJOR WHERE LIEUTENANT BIRD WAS REPLIED WHERE THE HELL OR DEVIL SHOULD HE BE BUT IN HIS \PAR OR WORD TO SUCH EFFECT\PAR \PAR 2ND INSTANCE IN HAVING ON THE SAME MORNING WHEN ASKED BY MAJOR TO MAKE THE ----- ASSISTANT IN LOADING THE SAID --- UPON CAMELS REPLIED THAT HE THE SAID MAJOR WAS A DAMNED BEAST A --- AND IF HE WAS NOT SUCH AN OLD MAN HE THE LIEUTENANT SHOULD HAVE LIKED TO HAVE GIVEN HIM THE MAJOR A GOOD KICKING OR WORDS TO SUCH EFFECT \PAR \PAR THE WHOLE OR ANY PART OF THE ABOVE CONDUCT BEING IN BREACH OF THE ARTICLES OF WAR UPON WHICH CHARGE THE COURT CAME TO THE FOLLOWING DECISION\PAR \PAR FINDING THAT THE COURT ARE OF THE OPINION THAT LIEUTENANT SIR ALEXANDER MACKENZIE BARONET OF THE 48TH REGIMENT NATIVE INFANTRY IS NOT GUILTY OF THE CHARGE EXHIBITING AGAINST HIM AND DO ACQUIT HIM OF THE SAME\PAR \PAR \FS32 FORT WILLIAM\PAR \FS20 18TH MARCH 1839\PAR MILITARY DEPARTMENT NO 226\PAR OF THE COARSE OF THE KALLEE RIVER FROM OOLEAH GHAUT TO BUHM DEO THEREWITH RECEIVED A COPY HAVING BEEN TAKEN FOR RECORD IN THIS DEPARTMENT \PAR SIGNED W.CABBITT MAJOR \PAR SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILITARY DEPARTMENT\PAR \PAR DEPUTY JUDGE ADVOCATE GENERAL PRESIDENCY NO 30 ENTRY.\PAR \PAR FROM DEPUTY JUDGE ADVOCATE GENERAL IN CHARGE OF THE JUDGE

ADVOCATE GENERALS OFFICE\PAR \PAR TO
MAJOR W.CUBITT OFFICIATING SECRETARY TO
THE GOVERNMENT OF INDIA IN THE MILKITARY
DEPARTMENT NO 227 AND 227A ENTRIES DATED
16TH MARCH 1839\PAR \PAR SIR\PAR I HAVE
THE HONOR TRANSMIT TO YOU THE
ACCOMPANYING COPY OF THE PROCEEDINGS
OF AN EUROPEAN GENERAL COURT MARSHAL
HELD IN CAMP NEAR ROSEE ON THE LEFT BANK
OF THE INDIES ON THE TRIAL OF LIEUTENANT
SIR ALEXANDER MACKENZIE BARONET 48TH
NATIVE INFANTRY\PAR \PAR I HAVE THE
HONOR TO BE— SIGNED H.BIRCH DEPUTY JUDGE
ADVOCATE GENERAL IN CHARGE JUDGE
ADVOCATE GENERALS OFFICE PRESIDING OF
FORT WILLIAM 16TH MARCH 1839\PAR \PAR
ENLOSURE NO 227A ENTRY\PAR EXTRACT
FROM THE PROCEEDINGS OF A GENERAL COURT
MARCHAL HELD ON THE 26TH JANUARY 1839
FOR THE TRIAL OF LIEUTENANT SIR ALEXANDER
MACKENZIE BARONET OF THE 48TH NATIVE
INFANTRY\PAR \PAR \FS32 FORT
WILLIAM\PAR \FS20 18TH MARCH 1839\PAR
REVISED FINDING\PAR THE COURT HAVING
ATTENTIVELY CONSIDERED THE ABOVE LETTER
FROM THE DEPUTY ADJUTANT GENERAL OF THE
ARMY TO THE PRESIDENT BEG TO STATE THAT
BY NO MEANS INTEND TO IMPUNE THE
CREDIBILITY OF MAJOR THOMSONS EVIDENCE
BUT BEING OF OPINION THAT THE MAJOR MIGHT
HAVE MISAPPREHENDED THE WORDSACCUSED
BY LIEUTENANT SIR ALEXANDER MACKENZIE
OWING TO THE HURRY AND CONFUSION OF THE
MOMENT THE COURT WITH THE ABOVE
QUALIFICATION ADHERE TO THERE FINDING OF
ACQUITTAL WHICH FINDING HAS BEEN
CONFIRMED BY MAJOR GENERAL SIR
WILLENGHBY COTTON H.C.B. D.AND C.H.
COMMANDING THE BENGAL COLUMN OF THE
ARMY OF THE INDIAS\PAR \PAR BY ORDER OF
THE COMMANDER OF THE FORCE\PAR SIGNED
J.R.LUMLEY M.G. ADJUTANT GENERAL OF THE
ARMY\PAR \PAR ENTRY NO 376 FROM THE

Sir Alexander Mackenzie of Tarbat Royston Cromarty

REVEREND J.MACQUEEN SEC. MILITARY
ORPHAN SOCIETY\PAR TO MAJOR W.CUBITT
OFFICIATING SECRETARY TO THE GOVERNMENT
OF INDIA IN THE MILITARY DEPARTMENT FORT
WILLIAM DATED 12TH MARCH 1839\PAR \PAR
SIR\PAR IN REPLY TO YOUR LETTER NO 97 OF
THE 4TH INSTANT REQUESTING TO BE
FURNISHED WITH A PRINTED COPY OF THE
RULES AND REGULATIONS OF THE MILITARY
ORPHAN SOCIETY FOR THE TRANSMISSION TO
THE CEYLON GOVERNMENT I HAVE THE HONOR
TO FORWARD HEREWITH A PRINTED COPY OF
THE LAST EDITION OF THE ABOVE RULES AND
REGULATIONS\PAR KUDDESPORE 12 MARCH
1839\PAR SIGNED J.MACQUEEN\CF0\PAR }

18 CADET OFFICE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{\COLORTBL;\RED255\GREEN0\BLUE0;}{*\GENERATOR MSFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20 ALEXANDER MACKENZIES BIRTH COPY FROM ST ANDREWS CHURCH EDINBURGH \PAR COURT OF DIRECTORS HELD ON WEDNESDAY THE 17TH NOVEMBER 1819\PAR RESOLVED THAT THE CADETS AND ASSISTANT SURGEONS BE DIRECTED TO PRESENT THEMSELVES AT THE CADET OFFICE WITH THERE CERTIFICATES PROPERLY FILLED UP AND SIGNED BY TEN O CLOCK IN THE MORNING OR SOON AFTER AS POSSIBLE IN ORDER THAT THEY MAY FILL UP THEIR PETITIONS AND HAVE THEIR NOMINATIONS PREPARED AGAINST THE COMMITTEE MEET OR THE NOMINATING DIRECTOR ARRIVES\PAR \PAR THE FOLLING PRINTED FORMS OF CERTIFICATES MUST BE PROPERLY FILLED UP AND SIGNED BY ALL THE PARTIES THEREIN ALLUDED TO BEFORE THE CADET ATTENDS TO BE PASSED OTHERWISE HE WILL EXPERIENCE MUCH DELAY IN GETTING THROUGH THE NECESSARY FORMS TO INSURE HIS EARLY EMBARKATION\PAR \PAR THESE FORMS ARE PRINTED EXPRESSLY FOR THE PURPOSE OF THE BLANKS BEING PROPERLY FILLED UP AND SIGNED PREVIOUS TO THE

CADETS BEING PASSED\PAR \PAR \fs40
FIRST\PAR \fs16\PAR \fs20 EXTRACT FROM THE
REGISTER BOOK OF BIRTHS AND BAPTISMS OF
THE PARISH OF ST ANDREWS IN THE CITY OF
EDINBURGH COLONEL ROBERT MCKENZIE
SOMETIMES IN THE SERVICE OF THE
HONOURABLE THE EAST INDIA COMPANY AND
MRS KATHARINE SUTHERLAND HIS SPOUSE A
SON BORN THE SIXTEENTH DAY OF MAY
EIGHTEEN HUNDRED AND TWO ST ANDREWS
PARISH AND BAPTISED BY THE REVERENT
DOCTOR MOODIE NAMED ALEXANDER
EXPANDED BY ROBERT BOW SESSION CLERK
16TH JANUARY 1824 ANDREW GRANT MINISTER
WALTER COOP ELDER WAL DICKSON
ELDER\PAR \PAR NB THE ABOVE EXTRACT MUST
BE SIGNED BY THE RESIDENT CLERGYMAN AND
COUNTERSIGNED BY THE CHURCH WARDENS OR
IF IN SCOTLAND BY THE SESSION CLERK AND
TWO ELDERS\PAR \PAR \fs40
SECOND\fs20\PAR \PAR THE PARENTS OR
GUARDIANS CERTIFICATE\PAR \PAR I DO
HEREBY CERTIFY THAT THE FOREGOING
EXTRACT FROM THE REGISTER OF BIRTHS AND
BAPTISMS OF THE PARISH OF ST ANDREWS IN
THE COUNTY IN THE CITY OF EDINBURGH
CONTAINS THE DATE OF THE BIRTH AND
BAPTISM OF MY SON ALEXANDER MACKENZIE
WHO IS THE BEARER OF THIS AND NOMINATED A
CADET ON THE BENGAL ESTABLISHMENT BY
COLONEL JOHN BAILLIE AND I DO FURTHER
DECLARE THAT I RECEIVED THE SAID
APPOINTMENT FOR MY SON ALEXANDER
MACKENZIE FRM COLONEL BAILLIE
GRATUITOUSLY AND THAT NO MONEY OR OTHER
VALUABLE CONSIDERATION HAS BEEN OR IS TO
BE PAID EITHER DIRECTLY OR INDIRECTLY FOR
THE SAME AND THAT I WILL NOT PAY OR CAUSE
TO BE PAID EITHER BY MYSELF BY MY SON OR BY

THE HANDS OF ANY OTHER PERSON ANY
PECUNIARY OR VALUABLE CONSIDERATION
WHATSOEVER TO ANY PERSON OR PERSONS
WHO HAVE INTERESTED THEMSELVES IN
PROCURING THE SAID NOMINATION FOR MY SON
FROM THE DIRECTOR ABOVE MENTIONED\PAR
\PAR WITNESS MY HAND THIS SIXTEENTH DAY
OF JANUARY IN THE YEAR OF OUR LORD
EIGHTEEN HUNDRED AND TWENTY FOUR\PAR
\PAR THE PARENT OR NEAREST OF KIN OR
GUARDIAN TO SIGN AT FULL LENGTH \CF 1 \FS32
KATHARINE MACKENZIE\CF0\FS20\PAR }

19 BIRTH COPY ST ANDREWS

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{\COLORTBL; \RED255\GREEN0\BLUE0; \RED0\GREEN0\BLUE0;}{*\GENERATOR MSFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20 ALEXANDER MACKENZIES BIRTH COPY FROM ST ANDREWS CHURCH EDINBURGH \PAR COURT OF DIRECTORS HELD ON WEDNESDAY THE 17TH NOVEMBER 1819\PAR RESOLVED THAT THE CADETS AND ASSISTANT SURGEONS BE DIRECTED TO PRESENT THEMSELVES AT THE CADET OFFICE WITH THERE CERTIFICATES PROPERLY FILLED UP AND SIGNED BY TEN O CLOCK IN THE MORNING OR SOON AFTER AS POSSIBLE IN ORDER THAT THEY MAY FILL UP THEIR PETITIONS AND HAVE THEIR NOMINATIONS PREPARED AGAINST THE COMMITTEE MEET OR THE NOMINATING DIRECTOR ARRIVES\PAR \PAR THE FOLLING PRINTED FORMS OF CERTIFICATES MUST BE PROPERLY FILLED UP AND SIGNED BY ALL THE PARTIES THEREIN ALLUDED TO BEFORE THE CADET ATTENDS TO BE PASSED OTHERWISE HE WILL EXPERIENCE MUCH DELAY IN GETTING THROUGH THE NECESSARY FORMS TO INSURE HIS EARLY EMBARKATION\PAR \PAR THESE FORMS ARE PRINTED EXPRESSLY FOR THE PURPOSE OF THE BLANKS BEING PROPERLY FILLED UP AND SIGNED PREVIOUS TO THE CADETS BEING PASSED\PAR \PAR \Fs40 FIRST\PAR \Fs16\PAR \Fs20 EXTRACT FROM THE REGISTER BOOK OF BIRTHS AND BAPTISMS OF

THE PARISH OF ST ANDREWS IN THE CITY OF
EDINBURGH COLONEL ROBERT MCKENZIE
SOMETIMES IN THE SERVICE OF THE
HONOURABLE THE EAST INDIA COMPANY AND
MRS KATHARINE SUTHERLAND HIS SPOUSE A
SON BORN THE SIXTEENTH DAY OF MAY
EIGHTEEN HUNDRED AND TWO ST ANDREWS
PARISH AND BAPTISED BY THE REVERENT
DOCTOR MOODIE NAMED ALEXANDER
EXPANDED BY ROBERT BOW SESSION CLERK
16TH JANUARY 1824 ANDREW GRANT MINISTER
WALTER COOP ELDER WAL DICKSON
ELDER\PAR \PAR NB THE ABOVE EXTRACT MUST
BE SIGNED BY THE RESIDENT CLERGYMAN AND
COUNTERSIGNED BY THE CHURCH WARDENS OR
IF IN SCOTLAND BY THE SESSION CLERK AND
TWO ELDERS\PAR \PAR \fs40
SECOND\fs20\PAR \PAR THE PARENTS OR
GUARDIANS CERTIFICATE\PAR \PAR I DO
HEREBY CERTIFY THAT THE FOREGOING
EXTRACT FROM THE REGISTER OF BIRTHS AND
BAPTISMS OF THE PARISH OF ST ANDREWS IN
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BE PAID EITHER DIRECTLY OR INDIRECTLY FOR
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TO BE PAID EITHER BY MYSELF BY MY SON OR BY
THE HANDS OF ANY OTHER PERSON ANY
PECUNIARY OR VALUABLE CONSIDERATION
WHATSOEVER TO ANY PERSON OR PERSONS
WHO HAVE INTERESTED THEMSELVES IN

PROCURING THE SAID NOMINATION FOR MY SON FROM THE DIRECTOR ABOVE MENTIONED\PAR \PAR WITNESS MY HAND THIS SIXTEENTH DAY OF JANUARY IN THE YEAR OF OUR LORD EIGHTEEN HUNDRED AND TWENTY FOUR\PAR \PAR THE PARENT OR NEAREST OF KIN OR GUARDIAN TO SIGN AT FULL LENGTH \cf1\fs32 KATHARINE MACKENZIE \PAR \PAR \cf2\fs20 ST ANDREWS AND ST GEORGE ON THE NORTH SIDE OF GEORGE STREET IS A DISTINCTIVE BUILDING IN THE REFINED CLASSICAL STYLE WITH A PEDIMENTED PORTICO AND SPIRE 168 FEET HIGH THE CHURCH THE FIRST OVAL BUILDING FOR WORSHIP IN BRITAIN WAS BUILT BY WILLIAM PIRNIE TO THE DESIGN OF MAJOR ANDREW FRAZER OF THE ENGINEERS AND OPENED ON 12TH DECEMBER 1784 THE SPIRE DESIGNED BY WILLIAM SIBBALD WAS READY BY 1789 WHEN BELLS WERE INSTALLED THE VESTRY ON THE NORTH-WEST SIDE WAS ORIGINALLY A SESSION ROOM BUILT AT THE EXPENSE OF JOHN YOUNG ARCHITECT IN 1788 THE PULPIT WHICH REPLACED THE ORIGINAL IN 1952 IS ON THE CENTRE OF THE NORTH SIDE ON A RAISED PLATFORM THE COMMUNION TABLE CAME FROM ST GEORGES THE ORGAN WELLS-KENNEDY 2-MANUAL (1984) IS IN THE GALLERY ON THE SOUTH SIDE ROUND THE BACK OF THE CHURCH ARE BOX PEWS AND THE CENTRE AREA HAS CHAIRS THE CHURCH IS DECORATED WITH ADAM DESIGN AND CEILING IS PARTICULARLY BEATIFUL THE STAINED GLASS IN THE WINDOWS DATES FROM 1890 BELOW THE CHURCH IS THE UNDERCROFT A SUITE OF HALLS OFFICE AND CHAPEL OPENED IN MAY 1975 THE BUILDING IS A-LISTED THE MANSE IS AT 12 HERRIOT ROW THE CHURCH HAS FOUR COMMUNION CUPS 1785 THE BAPTISMAL BOWL IS DATED 1837 BY 1780 IT WAS APPARENT THAT A CHURCH WOULD BE

REQUIRED FOR THE INCREASING POPULATION OF THE NEW TOWN OF EDINBURGH AND ON 25TH APRIL OF THAT YEAR JAMES HUNTER BLAIR LATER LORD PROVOST PROPOSED THE ERECTION OF A NEW CHURCH AND PARISH THE TOWN COUNCIL UNANIMOUSLY SO RESOLVED ON 31ST JANUARY 1781 THE FOUNDATION STONE WAS LAID ON 21ST MARCH 1781 AND THE CHURCH OPENED ON 12TH DECEMBER 1784 IT COST £37000 AND HAD APPROXIMATELY 1000 SITINGS IN THE PEAL OF EIGHT BELLS BY MEARS RUNG IN THE ENGLISH MANNER WAS INSTALLED THESE INSPIRED LADY NAIRNS CALLER HERRIN THE NEW TOWN AREA HAD BEEN DETACHED FROM THE PARISH OF ST CUTHBERTS AND ADDED TO THE PARISH OF EDINBURGH AND NOW WAS GIVEN TO ST ANDREWS AS AN AREA OF RESPONSIBILITY THE STIPEND WAS PROVIDED FROM THAT OF THE SECOND CHARGE OF TRINITY COLLEGE IN 1880 A PETER CONACHER 3-MANUAL ORGAN WAS INSTALLED IN THE EARLY YEARS OF THE 19TH CENTURY ST ANDREWS WAS THE MOST INFLUENTIAL CHURCH IN EDINBURGH UNTIL THAT HONOUR PASSED TO ST GEORGES IN THE MINISTRY OF ANDREW MITCHEL THOMSON THERE WAS A SECOND CHARGE FROM 1801 UNTIL 1860 THE GENERAL ASSEMBLIES OF 1841 1842 AND 1843 WERE HELD IN ST ANDREWS AND IT WAS THE SCENE OF THE DISRUPTION THE SECEDING MINISTERS AND ELDERS WALKED DOWN HANOVER STREET DUNDAS STREET AND PITT STREET TO TNFIELD HALL AT CANON MILLS JOHN BRUCE MINISTER OF ST ANDREWS JOINED THE FREE CHURCH SOMEWHAT HESITANTLY WITH ONE ELDER AND 200 OR 300 OF THE CONGREGATION THEY FORMED FREE ST ANDREWS AND WORSHIPED FROM MAY 1844 IN A CHURCH BUILT ON THE BACK GREEN OF 80 GEORGE STREET PAR 1787 WILIAM MOODIE

FROM KIRKCALDY PROF. HEBREW IN CONJUNCT
1793 DD 1798 MOD. GA 1799 ORIENTAL
SCHOLAR AND GOOD PASTOR DIED 1812 (FES I
88)\PAR \PAR 1801 DAVID RICHIE ASSISTANT
MINISTER 1798 MINISTER OF KILMARNOCK 1800-
1 MINISTER OF SECOND CHARGE 1801
INTELLECTUAL PREACHER MODERATE JUNIOR
CLERK GA 1802-8 PROF. OF LOGIC IN CONJUNCT
1808-36 DD 1813 MOD GA 1814 DIED 1844 (FESI
90)\PAR \PAR 1813 ANDREW GRANT DD MOD GA
1808 FROM TRINITY COLLEGE CHAPLAIN TO
GEORGE III GEORGE IV WILLIAM IV DEAN OF
CHAPEL ROYAL 1820 JOINT COLLECTOR OF
WIDOWS FUND 1827 SOLE COLLECTOR 1835
DIED 1836 (FES I 89) \PAR \PAR \fs28 PARISH
EDINBURGH DISTRICT 685 MIDLOTHIAN\PAR
\fs24 EXTRACT OF ENTRIES IN AN OLD
PAROCHIAL REGISTER PARISH OF EDINBURGH
COUNTY OF MIDLOTHIAN\PAR REGISTRATION OF
BIRTH\PAR ST ANDREWS PARISH OPR VOLUME
685/55 PAGE 308 FRAME 2791 PAGE 308
EDINBURGH 1 SEPTEMBER 1820\PAR COLONEL
ROBERT MCKINZIE SOMETIME OF THE SERVICE
OF THE HONORABLE THE EAST INDIA COMPANY
AND MRS CATHERINE SUTHERLAND HIS SPOUSE
A SON BORN THE 16TH MAY 1802 ST ANDREWS
PARISH AND BAPTISED BY THE REVERENT DR
MOODIE NAMED ALEXANDER\PAR A DAUGHTER
BORN 16TH JUNE 1803 SAME PARISH NAMED
ELIZABETH BAILLIE\PAR \PAR \fs32 IGI
INTERNATIONAL GENEALOGICAL INDEX\PAR
\fs24 BATCH SHEET ENTRY NUMBER 7202657
09\PAR SOURCE CALL NUMBER 820191\PAR
TYPE FILM\PAR ALEXANDER MCKINZIE\PAR SEX
MALE\PAR EVENT CHRISTENING 2 SEPTEMBER
1820 EDINBURGH MIDLOTHIAN SCOTLAND\PAR
FATHER ROBERT MCKINZIE\PAR MOTHER
CATHERINE MRS. SUTHERLAND\PAR \PAR \fs32
IGI INTERNATIONAL GENEALOGICAL INDEX\PAR

\fs24 BATCH SHEET ENTRY NUMBER
7202657\PAR SOURCE CALL NUMBER
0820191\PAR SHEET 09\PAR TYPE FILM
ALEXANDER MCKINZIE\PAR SEX MALE\PAR
EVENT BIRTH 16TH MAY 1809\PAR CHRISTENING
02 SEPTEMBER 1820 EDINBURGH MIDLOTHIAN
SCOTLAND\PAR PARENTS\PAR FATHER ROBERT
MCKINZIE\PAR MOTHER CATHERINE
MRS.SUTHERLAND\PAR \PAR \fs32 IGI
INTERNATIONAL GENEALOGICAL INDEX\PAR
\fs24 BATCH SHEET NUMBER C 1 19835\PAR
SOURCE CALL NUMBER 1066691, 0103041\PAR
PRINT CALL OUT NUMBER 6900814\PAR TYPE
FILM\PAR YEAR 1820-27\PAR ALEXANDER
MCKINZIE\PAR SEX MALE\PAR EVENT BIRTH 16
MAY 1802 EDINBURGH PARISH EDINBURGH
MIDLOTHIAN SCOTLAND\PAR PARENTS\PAR
FATHER ROBERT COLONEL MCKINZIE\PAR
MOTHER CATHERINE SUTHERLAND\PAR \PAR
\fs32 IGI INTERNATIONAL GENEALOGICAL
INDEX\PAR \fs24 BATCH SHEET NUMBER
C 1 10692\PAR SOURCE CALL NUMBER
0990585\PAR PRINT CALL NUMBER
6902449\PAR TYPE FILM\PAR ALEXANDER
MCKENZIE\PAR SEX MALE\PAR EVENT BIRTH
16TH MAY 1802 KILMUIR-EASTER ROSS AND
CROMARTY SCOTLAND\PAR PARENTS\PAR
FATHER ROBERT MCKENZIE\PAR MOTHER
KATHRINE SUTHERLAND\PAR \PAR \fs32
PARISH EASTER-KILMUIR DISTRICT 69/ 1\PAR
\fs24 EXTRACT OF ENTRIES KILMUIR-EASTER
COUNTY ROSS AND CROMARTY\PAR OLD
PAROCHIAL REGISTER\PAR BIRTHS \PAR
MCKENZIE AND SUTHERLAND\PAR 4TH
NOVEMBER 1811 THE FOLLOWING ARE THE
DATES OF THE BIRTHS OF THE CHILDREN OF
COLONEL ROBERT MCKENZIE OF
MILLMOUNT\PAR 16TH MAY 1802 COLONEL
ROBERT MCKENZIE OF MILLMOUNT HAD BY HIS
SPOUSE KATHRINE SUTHERLAND A CHILD

BAPTISED NAMED ALEXANDER BORN IN CASTLE STREET EDINBURGH\PAR 16TH JUNE 1803 COLONEL ROBERT MCKENZIE OF MILLMOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD BAPTISED NAMED ELIZABETH BAILLIE BORN IN GEORGE STREET EDINBURGH\PAR 16TH AUGUST 1804 COLONEL ROBERT MCKENZIE OF MILLMOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD BAPTISED NAMED MARGARET SUTHERLAND BORN AT MILLMOUNT IN THIS PARISH\PAR 21ST JULY 1805 COLONEL ROBERT MCKENZIE OF MILNMOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD BAPTISED NAMED JAMES SUTHERLAND BORN AT MILLMOUNT IN THIS PARISH\PAR ATTESTED BY DONALD MCKENZIE S.C.\PAR \PAR \CF1\FS32\PAR \CF0\FS20\PAR }

20 EARL OF ROSSLYN

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FSWISS\FPRQ2\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\FS16\PAR GD305/1/133/17 \PAR ASSIGNATION BY THE TRUSTEES OF THE LATE JOHN BAIN IN FAVOUR OF HIS GRACE\PAR THE DUKE OF SUTHERLAND.\PAR OF A BOND BY THE LATE JOHN HAY MACKENZIE AND MRS MURRAY HAY

MACKENZIE\PAR HIS MOTHER FOR
\A33319\PAR \PAR WE ALEXANDER WATSON
WEMYSS ESQUIRE OF PILKENNY ALEXANDER
SMITH MERCHANT\PAR IN ST ANDREWS
ALEXANDER KYD LINDESAY ESQUIRE OF
BALMUNGO AND WILLIAM WOODCOCK\PAR
WRITER IN SAINT ANDREWS SURVIVING AND
ACTING TRUSTEES NOMINATED AND APPOINTED
BY\PAR THE NOW DECEASED JOHN BAIN AGENT
FOR THE BANK OF SCOTLAND AT SAINT
ANDREWS IN HIS\PAR TRUST DISPOSITION AND
SETTLEMENT DATED THE THIRTY FIRST DAY OF
JANUARY EIGHTEEN HUNDRED \PAR AND FORTY
AND CODICILS THERTO DATED RESPECTIVELY
THE FIRST DAY OF JANUARY EIGHTEEN
HUNDRED \PAR AND FORTY AND CODICILS
THERETO DATED RESPECTIVELY THE FIRST DAY
OF JANUARY EIGHTEEN \PAR HUNDRED AND
FORTY FOUR AND SEVENTH DAY OF AUGUST
EIGHTEEN HUNDRED AND FORTY NINE AND
ALL\PAR REGISTERED IN THE SHERIFF COURT
BOOKS OF FIFE AT CUPAR THE FIFTH DAY OF
MARCH EIGHTEEN \PAR HUNDRED AND FIFTY
CONSIDERING THAT BY A BOND BEARING DATE
THE NINETEENTH DAY OF FEBRUARY\PAR AND
EIGGHTEN DAY OF MARCH BOTH IN THE YEAR
EIGHTEEN HUNDRED AND THIRTY FIVE MADE
AND \PAR GRANTED BY JOHN HAY MACKENZIE
OF CROMARTY NOW DECEASED AND BY THE
HONOURABLE\PAR MRS MARIA MURRAY HAY
MACKENZIE OF CROMARTY MOTHER
PROCEEDING ON THE NARRATIVE\PAR THEREIN
SET FORTH THEY ACKNOWLEDGED CONFESSED
AND DECLARED THEMSELVES\PAR AND THE
HEIRS OF TALZIE SUCCEEDING TO THEM IN THE
LANDS AND ESTATE OF CROMARTY\PAR TO BE
JUSTLY ADDEBTED AND RESTING OWING TO SIR
ALEXANDER MACKENZIE OF TARBAT\PAR
BARONET THEN IN THE SERVICE OF THE
HONOURABLE EAST INDIA COMPANY WHO WAS

THE ELDEST\PAR AND ONLY BROTHER OF SIR JAMES SUTHERLAND MACKENZIE OF ROYSTON BARONET AND OTHER\PAR HEIRS OF ENTAIL OF ROYSTON AS THEREIN AND HEREAFTER MENTIONED THE PRINCIPLE SUM\PAR OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS FIVEPENCE AND ONE THIRD OF \PAR A PENNY STERLING WITH THE LAWFUL INTEREST THEREOF FROM AND SINCE THE TERM OF WHITSUNDAY\PAR THEN LAST EIGHTEEN TO THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE\PAR VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY THE LEGAL INTEREST OF THE SAID PRINCIPAL\PAR SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS FIVE PENCE AND ONE THIRD OF A\PAR PENNY STERLING FROM THE SAID TERM OF WHITSUNDAY EIGHTEEN HUNDRED AND THIRTY FOUR TO THE\PAR SAID TERM OF PAYMENT OF THE PRINCIPAL SUM AND THEREAFTER SO LONG AS THE SAID PRINCIPAL \PAR SUM REMAINED UNPAID AT TWO TERMS IN THE YEAR WHITSUNDAY AND MARTIMAS BY EQUAL PORTIONS\PAR BEGINNING THE FIRST TERMS PAYMENT OF THE SAID INTEREST AT THE TERM OF MARTIMAS \PAR EIGHTEEN HUNDRED AND THIRTY FOUR AND THE NEAREST TERMS PAYMENT THEREOF AT THE TERM OF\PAR WHITSUNDAY EIGHTEEN HUNDRED AND THIRTY FIVE AND SO FORTH HALF YEARLY AT THE SAID TERMS\PAR DURING THE NOT PAYMENT OF THE SAID PRINCIPAL AND THAT AT EDINBURGH IN THE OFFICE OF THE BANK\PAR OF SCOTLAND WITH ONE FIFTH PART MORE OF THE SAID INTEREST OF LIQUIDATE PENALTY IS FOR EACH\PAR TERMS FAILURE IN PAYMENT OF THE SAID INTEREST AT THE TERMS ABOVE MENTIONED AS THE SAID\PAR BOND CONTAINING A CERTAIN DECLARATION IN THE

END THEREOF IN ITSELF BEARS: AND
FURTHER\PAR CONSIDERING THAT THE SAID SIR
JAMES SUTHERLAND MACKENZIE ACQUIRED
RIGHT TO THE FORESAID\PAR BOND AND SUMS
OF MONEY THEREBY DUE CONFORM TO RETOUR
OF HIS SERVICE AS NEAREST AND \PAR LAWFUL
HEIR MALE OF TALZIE AND PROVISION UNDER
THE SAID DISPOSITION AND DEED OF ENTAIL
\PAR OF THE ESTATE OF ROYSTON AND ALSO AS
NEAREST AND LAWFUL HEIR MALE AND
NEAREST\PAR AND LAWFUL HEIR MALE AND
NEAREST AND LAWFUL HEIR MALE IN GENERAL
OF PROVISION\PAR OF THE SAID ALEXANDER
MACKENZIE HIS ONLY BROTHER WHICH
SERVICE WAS EXPEDE BEFORE\PAR THE
BAILIES OF THE BURGH OF EDINBURGH ON THE
17 DAY OF SEPTEMBER EIGHTEEN
HUNDRED\PAR AND FORTY ONE AND DULY
RETOURED TO CHANCERY AND WITHER
CONSIDERING BY A CONTRACT\PAR OF SALE
BEARING DATE SEALED AND DELIVERED THE
TWELFTH DAY OF OCTOBER EIGHTEEN
HUNDRED \PAR AND FIFTY ENTERED INTO
BETWEEN THE SAID SIR JAMES SUTHERLAND
MACKENZIE AND EDWARD\PAR SUTHERLAND
STEWART AND STOREKEEPER OF THE ROYAL
HOSPITAL CHELSEA CAPTAIN
UNATTACHED\PAR THE SAID SIR JAMES
SUTHERLAND MACKENZIE IN CONSIDERATION
OF THE PRICE THEREIN STIPULATED\PAR AND
WITH AND UNDER THE CONDITIONS PROVISIONS
DECLARATIONS AND RESERVATIONS
THEREIN\PAR WRITTEN INTER ALIA SOLD TO THE
SAID EDWARD SUTHERLAND AND HIS HEIRS
EXECUTERS AND \PAR ASSIGNEES
WHOMSOEVER ALL AND WHOLE THE
AFORESAID SUM OF THREE THOUSAND THREE
\PAR HUNDRED AND NINETEEN POUNDS FIVE
PENCE AND ONE THIRD OF A PENNY STERLING
WITH INTEREST\PAR AND PENALTIES AS

CONTAINED IN AND DUE BY THE BOND ABOVE
RECITED WITH THE INTEREST\PAR THEREON
FROM THE TERM OF WHITSUNDAY EIGHTEEN
HUNDRED AND FIFTY AND PENALTIES\PAR
SAME TERMLY FAILURES IF INCURRED
TOGETHER WITH ALL RIGHT TITLE AND
INTEREST AND CLAIM\PAR OF RIGHT INTEREST
AND PROPERTY WHICH THE SAID SIR JAMES
SUTHERLAND MACKENZIE OR HIS\PAR
ANCESTORS PREDECESSORS AUTHORS OR
HEIRS AND SUCCESSORS HAD OR COULD
ANYWISE \PAR CLAIM OR PRETEND TO THE SAID
SUM AND DOCUMENT OF DEBT OR TO ANY PART
OR PORTION\PAR OF THE SAME AND THE SAID
SIR JAMES SUTHERLAND MACKENZIE BY THE
SAID CONTRACT OF\PAR SALE BOUND AND
OBLIGED HIMSELF AND HIS HEIRS AND
SUCCESSORS IN THE SAID SUM AND\PAR
DOCUMENT OF DEBT UPON HIS RIGHT TO SELL
AND ALIENATE THE SAID SUM AND OTHERS
THEREIN\PAR BEING FINALLY ASCERTAINED
AND DETERMINED IN ONE OR OTHER OF THE
WAYS THEREIN MENTIONED\PAR AND UPON
RECEIVING PAYMENT OF THE PRICE OF THE SAID
SUMS DOCUMENTS AND OTHERS\PAR AS
THEREIN STIPULATED TO EXECUTE AND
DELIVER A FORMAL AND VALID DISPOSITION
AND ASSIGNATION\PAR OR OTHER SUITABLE
DEED OF CONVEYANCE OF THE SAID SUM
DOCUMENT AND OTHERS TO THE SAID\PAR
EDWARD SUTHERLAND AND HIS FORESAIDS
CONTAINING CLAUSE OF ABSOLUTE
WARRANTICE SO FAR\PAR AS REGARDS THE
TITLE OF THE SAID SIR JAMES SUTHERLAND
MACKENZIE AND CLAUSE OF WARRANTICE\PAR
FROM FACT AND DEED ONLY SO FAR AS
REGARDS THE SAID DEBT AND ASSIGNATION TO
THE ANNUAL\PAR RENTS THEREOF FROM AND
AFTER THE TERM OF WHITSUNDAY EIGHTEEN

HUNDRED AND FIFTY\PAR ASSIGNATION TO THE
 WRITS AND EVEDENTS OF THE SAID SUM AND
 OTHER USUAL AND NECESSARY\PAR CLAUSES
 AND THE SAID SIR JAMES SUTHERLAND
 MACKENZIE BY THE SAID CONTACT OF
 SALE\PAR ENGAGED AND THEREBY BOUND
 HIMSELF IMMEDIATELY AFTER THE EXECUTION
 THEREOF TO\PAR INSTITUTE AN ACTION OF
 DECLARATION OR OTHER JUDICIAL
 PROCEEDING FOR ASCERTAINING\PAR HIS
 RIGHT TO SELL THE SAID SUM AND OTHERS AND
 TO RECEIVE AND DISCHARGE THE PRICE\PAR
 THEREOF AND TO CITE AS PARTIES THERETO
 THE WHOLE EXISTING HEIRS OF ENTAIL SO
 FAR\PAR AS KNOWN TO HIM CALLED TO
 SUCCEED AFTER HIM TO THE SAID SUMS
 DOCUMENTS AND OTHERS \PAR BY THE DEED OF
 ENTAIL CHARTERS AND OTHER WRITINGS AND
 INVESTETURES THEREOF AND\PAR INTERESTED
 THEREIN IN VIRTUE OF THE SAID ENTAIL AND ON
 THE OTHER HAND THE SAID EDWARD\PAR
 SUTHERLAND BY THE SAID CONTRACT OF SALE
 BOUND AND OBLIGED HIMSELF AND HIS HEIRS
 \PAR EXECUTERS SUCCESSORS AND
 REPRESENTATIVES WHATSOEVER TO PAY
 TO\PAR THE SAID SIR JAMES SUTHERLAND
 MACKENZIE AND HIS HEIRS EXECUTERS OR
 ASSIGNEES EXCLUDING\PAR ALWAYS HIS HEIRS
 OF TAILZIE AND PROVISION IN THE SUMS AND
 DOCUMENTS THEREIN\PAR DESCRIBED
 INCLUDING INTER ALIA THE SAID SUM OF THREE
 THOUSANT THREE HUNDRED AND \PAR
 NINETEEN POUNDS FIVE PENCE AND ONE THIRD
 OF A PENNY THE SUM OF FOUR THOUSANT
 ONE\PAR HUNDRED POUNDS STERLING AS THE
 AGREED ON PRICE OF THE SAID SUMS
 DOCUMENTS AND\PAR OTHERS AND THAT AS AT
 THE TERM OF WHITSUNDAY EIGHTEEN
 HUNDRED AND FIFTY WITH A FIFTH\PAR PART
 MORE OF THE SAID PRICE OF PENALTY IN CASE

OF FAILURE IN PAYMENT THEREOF AND THE
\PAR INTEREST OF THE SAID PRICE AT THE RATE
OF THREE AND ONE QUARTER PER ANNUM
FROM THE SAID\PAR TERM OF WHITSUNDAY
EIGHTEEN HUNDRED AND FIFTY UNTIL THE
FIRST TERM OF WHITSUNDAY\PAR OR
MARTINMAS AFTER THE RIGHT OF THE SAID SIR
JAMES SUTHERLAND MACKENZIE AND
OTHERS\PAR SHOULD BE FINALLY
ASCERTAINED AND DETERMINED IN ONE OR
OTHER OF THE WAYS THEREIN\PAR MENTIONED
AND THE LEGAL INTEREST OF THE SAID PRICE
THEREAFTER DURING THE NOT PAYMENT\PAR
AND WHICH INTEREST SHOULD BE PAYABLE AT
TWO TERMS IN THE YEAR WHITSUNDAY AND
\PAR MARTINMAS BY EQUAL PORTIONS IN
MANNER THEREIN MENTIONED AS THE SAID
CONTRACT OF SALE\PAR CONTAINING SUNDRY
OTHER CONDITIONS AND DECLARATIONS IN
ITSELF BEARS AND FUR:\PAR SUTHERLAND
MACKENZIE RAISED AN ACTION OF
DECLARATION AT THE INSTANCE BEFORE THE
LORDS\PAR OF COUNCIL AND SESSION THE
SUMMONS IN WHICH IS DATED AND SIGNETED
THE THIRTIETH DAY OF\PAR OCTOBER
EIGHTEEN HUNDRED AND FIFTY AGAINST THE
SAID EDWARD SUTHERLAND AND ALSO \PAR
AGAINST JOHN MACKENZIE ESQUIRE TACKSMAN
OF ACHTO NEAR BONAR BRIDGE IN THE \PAR
SHERIFFDOM OF SUTHERLAND ROYSTONE
MACKENZIE ESQUIRE RESIDING AT BARRA IN
THE \PAR ISLAND OF SKYE AND KENNETH
MACKENZIE AND WILLIAM MACKENZIE SONS OF
THE SAID ROYSTONE\PAR MACKENZIE AS
ADMINISTRATOR IN LAW FOR HIS SAID SONS
WHO WERE MINORS AND THEIR TUTORS\PAR
AND CURATORS IF THEY ANY HAD FOR THEIR
INTEREST BEING THE WHOLE KNOWN AND
EXISTING\PAR HEIRS SUBSTITUTE TO THE SAID

LANDS AND BARONY OF ROYSTONE AND OTHERS AND INTER\PAR ALIA TO THE FORESAID SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS FIVE\PAR PENNCE AND ONE THIRD OF A PENNY AND HAVING AN INTEREST IN THE SAME HEIRS OF TAILZIE\PAR UNDER THE SAID DISPOSITION AND DEED OF ENTAIL AND ALSO AGAINST CERTAIN OTHER\PAR PERSONS IN THE SAID SUMMONS FOR THEIR INTEREST WITH WHICH SUMMONS AND ACTION\PAR A PROCESS OF SUSPENSION OF A THREATENED CHARGE AT THE INSTANCE OF THE SAID\PAR EDWARD SUTHERLAND WAS CONJOINED AND IN WHICH CONJOINED PROCESS THE LORDS\PAR OF COUNCIL AND SESSION UPON THE 24/6/1851 PRONOUNCED A DECREE WHEREBY THEY\PAR FOUND DESCERNED AND DECLAIRED THAT THE DISPOSITION AND DEED OF TAILZIE OF THE\PAR LANDS AND BARONY OF ROYSTON LIBELLED WAS INVALID AND INEFFECTUAL AS REGARDS THE\PAR PROHIBITION AGAINST SALE OR ALIENATION THE SAME NOT HAVING BEEN FENCED BY A VALID\PAR OR SUFFICIENT IRRITANT CLAUSE AND FOUND THAT THE SAID TAILZIE BEING INVALID AND\PAR INEFFECTUAL AS REGARDS THE PROHIBITION AGAINST SALE OR ALIENATION MUST IN TERMS\PAR OF THE STATUTE ELEVENTH AND TWELFTH VICTORIA CHAPTER THIRTY SIX BE DEMED AND TAKEN TO\PAR BE INVALID AND INEFFECTUAL AS REGARDS ALL THE PROHIBITIONS AGAINST ALIENTATION \PAR CONTRACTION OF DEBT AND ALTERATION ALTERATION OF THE ORDER OF SUCCESSION\PAR AND FOUND THAT INTER ALIA THE SAID SUM OF THREE THOUSAND THREE HUNDRED AND \PAR NINETEEN POUNDS FIVE PENCE AND ONE THIRD OF A PENNY SET FORTH IN THE SAID \PAR SUMMONS WAS TO BE DEALT WITH IN ALL RESPECTS AS THE SAID LANDS AND

BARONY OF \PAR ROYSTON AND OTHERS MIGHT HAVE BEEN DEALT WITH UNDER THE SAID TAILZIE OR AS \PAR ANY OTHER LANDS MIGHT HAVE BEEN DEALT WITH IF SUCH LANDS HAD BEEN PURCHASED \PAR WITH THE SAID SEVERAL SUMS AND HAD BEEN ENTAILED IN TERMS OF THE SAID TAILZIE \PAR THEREFOR THE SAID LORDS FOUND AND DECLARED THAT THE SEVERAL SUMS THEREIN MENTIONED \PAR AND THE BONDS BILLS AND DOCUMENTS CONNECTED THERE WITH INCLUDING THE AFORESAID \PAR SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS FIVE PENCE AND ONE \PAR THIRD OF A PENNY AND THE BOND THEREFOR ABOVE RECITED NOW BELONG TO THE SAID SIR \PAR JAMES SUTHERLAND MACKENZIE AS HEIR UNDER THE SAID TAILZIE SUBJECT AND LIABLE TO \PAR HIS DEBTS AND DEEDS AND THAT NO ACTION OF FORFEITURE WAS NOW OR SHOULD BE \PAR COMPETENT AT THE INSTANCE OF THE DEFENDERS CALED IN THE SAID ACTION OR ANY OTHER HEIRS \PAR SUBSTITUTE UNDER THE SAID DISPOSITION AND DEED OF TALZIE AGAINST THE SAID SIR JAMES \PAR SUTHERLAND MACKENZIE AS HEIR IN POSSESSION BY REASON OF HIS HAVING CONTRAVENED \PAR OR OF HIS THEREAFTER CONTRVENING ALL OR ANY OF THE PROHIBITIONS CONTAINED IN THE \PAR SAID DISPOSITION AND DEED OF TAILZIE ALSO FOUND DESCERNED AND DECLARED THAT THE \PAR SAID SIR JAMES SUTHERLAND MACKENZIE HAD AND HAS FULL RIGHT TO SELL THE WHOLE OR ANY \PAR PART OF THE LANDS AND BARONY OF ROYSTON AND OTHERS COMPREHENDED IN THE SAID \PAR DEED OF ENTAIL AND THE SEVERAL SUMS OF MONEY AND OTHERS THEREIN MENTIONED \PAR INCLUDING AFORESAID SUM OF THREE THOUSAND THREE HUNDRED AND

NINETEEN POUNDS FIVE \PAR PENCE AND ONE THIRD OF A PENNY AS SURROGATED AND SUBSTITUTED THEREFOR \PAR AND IN PARTICULAR THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HAD AND HAS RIGHT TO SELL \PAR THE SEVERAL SUMS BOND AND OTHERS THEREIN ENUMERATED TO THE SAID EDWARD SUTHERLAND \PAR AND THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HAD PERFECT POWER AND SUFFICIENT TITLE \PAR TO GRAND A VALID DISPOSITION ASSIGNATION AND CONVEYANCE OF THE SAME TO THE SAID EDWARD \PAR SUTHERLAND AND THE SAID EDWARD SUTHERLAND WAS FOUND TO ACCEPT SUCH DISPOSITION AND \PAR ASSIGNATION OR CONVEYANCE AND PAY THE STIPULATED PRICE TO THE SAID SIR JAMES SUTHERLAND \PAR MACKENZIE ACCORDINGLY AND FURTHER FOUND DISCERNED AND DECLARED THAT BY GRANTING \PAR SAID DISPOSITION AND ASSIGNATION OR CONVEYANCE TO THE SAID EDWARD SUTHERLAND THE \PAR SAID SIR JAMES SUTHERLAND MACKENZIE SHOULD NOT BE LIABLE TO ANY FORFEITURE AT THE \PAR INSTANCE OF ANY HEIR SUBSTITUTE IN SAID DEED AND FURTHER FOUND AND DECLARED THAT THE \PAR SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS DISPONEE OR ASSIGNEE ARE AND WERE \PAR ENTITLED TO UPLIFT AND UPON PAYMENT DISCHARGE THE SAID SEVERAL SUMS INCLUDING \PAR THE SAID SUM OF THREE THOUSANT THREE HUNDRED AND NINETEEN POUNDS FIVE PENCE AND \PAR ONE THIRD OF A PENNY AND TO GRAND DISCHARGES THERFOR WHICH DISCHARGES SHOULD \PAR BE VALID AND SUFFICIENT TO THE RECEIVERS TO AL INTENT AND PURPOSES WHATSOEVER \PAR AND THAT THE DEBTORS IN THE SAID SEVERAL SUMS THEREIN SET FORTH WERE BOUND \PAR APON RECEIVING SUCH DISCHARGE RESPECTIVELY TO

MAKE PAYMENT OF THE SAID SEVERAL \PAR
SUMS AND OF ALL INTEREST DUE THEREON TO
THE SAID SIR JAMES SUTHERLAND MACKENZIE
\PAR OR HIS SAID ASSIGNEE AS THE SAID
DECREET IN ITSELF BEARS AND FURTHER
CONSIDERING \PAR THAT WE AS TRUSTEES
FORESAID HAVE NOW ACQUIRED RIGHT TO
THEFORESAID BOND \PAR AND SUMS OF MONEY
THEREBY DUE AND INTEREST AND PENALTIES
THEREIN CONTAINED \PAR CONFORM TO
ASSIGNATION DATED 23/08/1851 MADE AND
GRANTED BY THE SAID SIR JAMES \PAR
SUTHERLAND MACKENZIE WITH THE SPECIAL
ADVICE OF THE SAID EDWARD
SUTHERLAND \PAR AND THE SAID EDWARD
SUTHERLAND FOR HIMSELF HIS OWN RIGHT AND
INTEREST \PAR AND THEM BOTH WITH ONE
CONSENT TO AND IN FAVOUR OF US THE
SAID \PAR ALEXANDER WATSON WEMYSS,
ALEXANDER SMITH, ALEXANDER KYD
LINDESAY, \PAR AND WILLIAM WOODCOCK AND
MRS JEAN SMITH BAIN RELICK OF THE SAID
JOHN BAIN \PAR AND JAMES BAIN FACTOR TO
THE EARL OF ROSSLYN AT DYSART BOTH NOW
DECEASED \PAR AS TRUSTES FORESAID AND
THE SURVIVORS OR SURVIVOR OF US OR OF THE
SURVIVORS OF US \PAR AND NOW SEEING THAT
HIS GRACE GEORGE GRANDVILLE SUTHERLAND
LEVESON GOWER \PAR DUKE AND EARL OF
SUTHERLAND KNIGHT OF THE MOST NOBLE OF
THE GARTER HAS MADE \PAR PAYMENT TO US
THE SAID ALEXANDER WATSON WEMYSS
ALEXANDER SMITH \PAR ALEXANDER KYD
LINDESAY AND WILLIAM WOODCOCK SURVIVING
AND ACCEPTING TRUSTEES \PAR FORESAID OF
THE SAID SUM OF THREE THOUSAND THREE
HUNDRED AND NINETEEN POUNDS \PAR FIVE
PENCE AND ONE THIRD OF A PENNY STERLING
OF WHICH WE HEREBY ACKNOWLEDGE \PAR

THE RECEIPT RENOUNCING ALL EXCEPTIONS TO THE CONTRARY THEREFOR WE AS TRUSTEES\PAR FORESAID IN CONSIDERATION THEREOF DO HEREBY SELL DISPONE ASSIGN CONVEY AND\PAR MAKE OVER TO AND IN FAVOUR OF THE SAID DUKE AND EARL OF SUTHERLAND ALL AND\PAR WHOLE THE AFORESAID PRINCIPAL SUM OF THREE THOUSAND THREE HUNDRED AND\PAR NINETEEN POUNDS FIVE PENCE AND ONE THIRD OF A PENNY STERLING WITH ONE FIFTH PART\PAR MORE OF LIQUIDATE PENALTY IN CASE OF FAILURE AND THE LEGAL INTEREST OF THE SAID\PAR PRINCIPAL SUM FROM THE TERM OF WHITSUNDAY EIGHTEEN HUNDRED AND SIXTY AND\PAR IN TIME COMING DURING THE NOT PAYMENT WITH ONE FIFTH PART MORE OF THE SAID\PAR INTEREST OF LIQUIDATE PENALTY FOR EACH TERMS FAILURE IN PAYMENT THEREOF\PAR WHICH PRINCIPAL SUM INTEREST AND PENALTIES ARE ALL CONTAINED IN AND DUE\PAR BY AND PAYABLE UNDER THE BOND ABOVE RECITED AS ALSO WE DO HEREBY ASSIGN \PAR CONVEY AND MAKE OVER FROM US AS TRUSTEES FORESAID AND OUR FORESAIDS\PAR TO AND IN FAVOUR OF THE SAID DUKE AND EARL OF SUTHERLAND THE FORESAID \PAR BOND ABOVE RECITED WITH THE WHOLE SUMS OF MONEY PRINCIPAL INTEREST\PAR AND LIQUIDATE PENALTY CONTAINED IN AND DUE THEREBY WITH THE FORESAID\PAR RETOUR OF THE SERVICE OF THE SAID SIR JAMES SUTHERLAND MACKENZIE\PAR AND THE AFORESAID CONTRACT OF SALE AND ALSO ALL THE RIGHT AND INTEREST\PAR OF THE SAID EDWARD SUTHERLAND UNDER THE SAME AND ALSO THE AFORESAID\PAR DECREE OF DECLARATION IN SO FAR AS THE SUMS OF MONEY HEREBY ASSIGNED\PAR AND CONVEYED AND ALSO THE AFORESAID ASSIGNATION BY

THE SAID SIR JAMES \PAR SUTHERLAND
MACKENZIE AND EDWARD SUTHERLAND IN OUR
FAVOUR AS TRUSTEES \PAR FORESAID AND ALL
THAT HAS FOLLOWED OR MAY BE COMPETENT
TO FOLLOW ON THESE \PAR WRITS
SURROGATING AND SUBSTITUTING OUR SAID
ASSIGNEES IN FULL RIGHT AND PLACE OF \PAR
THE PREMISES WITH FULL POWER TO HIM TO
ASK MOVE AND UPLIFT THE SUMS OF
MONEY \PAR PRINCIPAL INTEREST AND PENALTY
HEREBY ASSIGNED AND CONVEYED AND ON
PAYMENT \PAR TO GRANT DISCHARGE OR
CONVEYANCES THEREOF EITHER IN WHOLE OR
IN PART \PAR AND GENERALLY TO DO
EVERYTHING IN THE PREMISES WHICH WE AS
TRUSTEES \PAR COULD HAVE DONE BEFORE
GRANTING HEREOF WHICH ASSIGNATION AND
CONVEYANCE \PAR ABOVE WRITTEN
OURSELVES AS TRUSTEES FORESAID AND THE
HEIRS AND REPRESENTATIVES \PAR OF THE
SAID JOHN BAIN TO WARRANT FROM ALL FACTS
AND DEEDS DONE OR TO BE DONE BY US \PAR
OR THEM IN PREJUDICE HEREOF AND WE HAVE
HEREWITH DELIVERED UP THE AFORESAID \PAR
BOND AND RETOUR AND EXTRACT OF THE SAID
CONTRACT OF THE SALE AND DECREE AND THE
SAID \PAR ASSIGNATION OUR ASSIGNEE BEING
BOUND BY ACCEPTANCE HEREOF HE BINDS
HIMSELF \PAR TO MAKE THE SAID RETOUR
FURTHCOMING TO THE SAID SIR JAMES
SUTHERLAND MACKENZIE \PAR AND THE SAID
EDWARD SUTHERLAND OR SUCH OTHER
PERSONS AS MAY HAVE AN INTEREST \PAR IN
THE SAME ON A RECEIPT AND OBLIGATION FOR
REDELIVERY WITHIN A REASONABLE TIME
AND \PAR UNDER A SUITABLE PENALTY AND WE
CONCENT TO THE REGISTRATION HEREOF IN
THE \PAR BOOKS OF COUNCIL SESSION FOR
PRESERVATION AND THERETO CONSTITUTE OUR

\PAR PROCURATORS IN WITNESS WHEREOF
THESE PRESENTS WRITTEN ON THIS AND THE
TEN\PAR PRECEDING PAGES OF STAMPED
PAPER BY COLIN MACKENZIE APPRENTICE TO
\PAR JAMES HAY MACKENZIE WRITER TO THE
SIGNET DECLARING THE WORDS "OF
CROMARTY"\PAR TO BE INTERLINED BETWEEN
THE TWENTY FIRST AND TWENTY SECOND\PAR
LINES OF PAGE FIRST COUNTINGB FROM THE
TOP BEFORE SUBSCRIPTION ARE
SUBSCRIBED\PAR BY US THE SAID ALEXANDER
WATSON WEMYSS ALEXANDER SMITH
ALEXANDER\PAR KYD LINDESAY AND WILLIAM
WOODCOCK AS SURVIVING AND ACCEPTING
TRUSTEES \PAR OF THE SAID JOHN BAIN AT ST
ANDREWS ON THE 28/4/1860 BEFORE THESE
WITNESSES\PAR GEORGE KIRK AND
ALEXANDER MARJORIBANKS BOTH
APPRENTICES IN THE BANK OF SCOTLANDS\PAR
OFFICE AT SAINT ANDREWS.\PAR \PAR \PAR
\PAR }

21 TAIN

{\RTF1 \ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\
FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}

{*\GENERATOR MSFTEDIT
5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20
SCOTTISH RECORD OFFICE REFERENCE
C22/101 CROSS REFERENCE TO ORIGINAL
RETOURS C24/103 NO 33\PAR \PAR THIS
ENQUIRY WAS MADE IN THE CURIA COURT OF
THE VICE-COUNTY OF ROSS ON THE SIXTEENTH
DAY OF THE MONTH OF SEPTEMBER IN THE YEAR
OF THE LORD ONE THOUSANT EIGHT HUNDRED
AND NINE BEFORE THE HONOURABLE MAN
JOHN BARCLAY VICE-COUNTY OF ROSS AND
THROUGH OR BY THESE HONEST FAITHFUL MEN
WHOS PATRNYMS ARE SIGNED BELOW TO WIT
GEORGE SACKVILLE SUTHERLAND RESIDENT OF
RHIVES MISTER GEORGE MURRAY MERCHANT IN
TAIN MISTER WILLIAM MURRAY MERCHANT IBID
JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN
MCINTOSH MERCHANT IBID DUNCAN ROSS
MERCHANT IBID HUGO OR HUGH MACKENZIE
MERCHANT IBID DONALD ROSS MERCHANT IBID
JAMES ROSS MERCHANT IBID DONALD ROSS
JUNIOR MERCHANT IBID DRUM MANSER
MERCHANT IBID JOHN MCPHERSON MERCHANT
IBID MISTER JOHN BLACK SCRIBE CLERK IBID
JAMES ROBERTSON SURGEON IBID LIEUTENANT
JOHN MUNRO RESIDENT IBID THESE PERSONS
HAVING BEEN SWORN IN MAGNO SACRAMENTO
INTERVENIENTE DECLARED THAT A CERTAIN
LIETENANT-COLONEL ROBERT MACKENZIE IN
THE SERVICE OF THE HONOURABLE SOCIETY OF
THE MERCHANTS OF THE EAST INDIES IS THE
FATHER OF ALEXANDER MACKENZIE
PRESENTER OF THESE PRESENT PETITION THE
SAID LT-COL. ROBERT MACKENZIE WAS THE
LEGITIMATE FIRST BORN SON OF THE LATE
ALEXANDER MACKENZIE LATELY OF ARDLOCH
WHO WAS THE LEGITIMATE FIRST BORN SON OF
THE ALSO DEFUNCT JOHN MACKENZIE OF
ARDLOCH WHO WAS THE LEGITIMATE FIRST

BORN SON OF THE ALSO DEFUNCT ALEXANDER MACKENZIE WHO WAS THE LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT AND GERMAIN BROTHER OF GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BOTH WHOM ARE DEAD AND WHO WAS MALE HEIR TALLICE TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS TO A CERTAIN KENNETH MACKENZIE LAST OF CROMARTIE WHO WAS HEIR DESERVITUS ET RETOR NATUS TO LORD KENNETH MACKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD GEORGE MACKENZIE DE GRANDVILLE HIS ELDER BROTHER WHO WAS THE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTIE SECOND LEGITIMATE SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND AFTERWARDS EARL OF CROMARTIE WHO DIED WITHOUT LEGITIMATE MALE CHILD MALE HEIRS PROCREATED FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT FAILING THEY NOW EXIST IN PERSON OF LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRAND-SON OF THE SAID ALEXANDER MACKENZIE ONLY BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY FROM WHOS BODY MALE HEIRS WERE THEN IN EXISTENCE HE THEREFORE HAD THE RIGHT OF RECEIVING THE SUCCESSION UNDER THE DISPOSITION AND CHARTER OF TALLIA CONTAINING SUBSTITUTION PROVISIONS CONDITIONS AND NULLIFYING CLAUSES THEREIN SPECIFIED MADE AND EXPRESSED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD OF MACLEOD AND CASTLEHAVEN AFTERWARDS EARL OF CROMARTY GIVEN ON THE TWENTY-EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSAND SIX HUNDRED AND EIGHTY-EIGHT BY THE TITLE DEED THEREIN SPECIFIED HE GAVE

AND DISPOSED TO ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING THE PARTICULAR LANDS ETCETERA THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MASTER JAMES MACKENZIE HIS LEGITIMATE THIRD SON WHO LATER BECAME LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSION AND TO HIS MALE HEIRS LEGITIMATELY BEGOTTEN FROM HIS BODY FAILING WHICH TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE LEGITIMATE MALE HEIRS BEGOTTEN FROM HIS BODY FAILING WHICH TO JOHN EARL OF CROMARTIE THEREIN DESIGNATED AS JOHN MASTER OF TARBAT ELDEST LEGITIMATE SON OF THE SAID VICE-COUNT AND TO HIS MALE HEIRS PROCREATED OR TO BE PROCREATED FROM HIS BODY FAILING WHICH TO THE OTHER MALE HEIRS LEGITIMATELY BEGOTTEN OR TO BEGOTTEN FROM THE BODY OF THE NOBLE VICE-COUNT HIMSELF FAILING WHICH FINALLY TO OTHER PERSON OR PERSONS TO BE NAMED BY HIM IN THE SAME MANNER IN THE ABOVE SAID CHARTER OF TALLIA THEY FAILING TO OTHER MALE HEIRS OF THE SAID GEORGE VICE-COUNT OF TARBAT WHOSOEVER FAILING ALL THESE HEIRS AND ASSIGNS WHOSOEVER OF THE SAID VIC-COUNT THE INHERITANCE WILL DIE OUT IRREDEEMABLY AND GO TO THE FAITH TRUST AND PEACE OF S.N.D.REGIS OUR SOVEREIGN LORD THE KING AND WHEREBY THE SAID ALEXANDER MACKENZIE PRESENTER OF THE PRESENT PETITION IS THE LEGITIMATE AND NEAREST MALE HEIR OF TALLIE AND PROVISIONIS UNDER THE SAID CHARTER OF TALLIA OF HIS FATHER THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE AND IS OF LEGAL

LEGITIMATE AGE IN CUJUS REI IN WITNESS TO
THIS THING THE SIGNATURES OF THOSE
CONCERNED IN THIS INQUIRY TOGETHER WITH
THE BREVIS REGIS DEBITE EXECUTO INCLUSO
AND THE SEAL OF THE COMUNE AND ALSO THE
SIGNATURE SIGN MANUAL OF THOMAS SUTOR
PRINCIPAL CLERK OF THE SAID VICE-COUNTY
SPECIALLY CONSTITUTED ARE APPENDED TO
THESE PRESENTS 16TH DECEMBER 1809
THOMAS SUTOR CLERK. \PAR }

22 DONALD ROSS ARMIGER

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20 SCOTTISH RECORD OFFICE REFERENCE C22/125 SERVICE OF HEIR CAPTAIN ALEXANDER MACKENZIE HEIC\PAR MONTHLY NUMBER 30 AND CROSS REFERENCED TO C24/120 FROM ORIGINAL RETOUR.\PAR \PAR THIS ENQUIRY WAS HELD IN THE COURT CURIA OF VICE-COUNTY OF ROSS BEFORE THE HONOURABLE MEN DONALD MCLEOD ARMIGER DEPUTY ADVOCATE IN VICE-COUNTY OF ROSS AND CROMARTY AND DAVID ROSS ARMIGER VICE-COUNT SUBSTITUTE OF THE SAID VICE-COUNTY ON SEVENTEENTH DAY OF THE MONTH OF AUGUST IN THE YEAR OF THE LORD ONE THOUSAND EIGHT HUNDRED AND TWENTY-SIX BY THESE TRUE AND FAITHFUL MEN OF THE FATHERLAND WRITTEN BELOW VIZ HUGO ROSE ARMIGER OF GLASKILLICH ALEXANDER FRASER ARMIGER OF INCHCOULTER DONALD MACKENZIE ARMIGER OF NEWHALL WALTER ROSS ARMIGER OF NIGG HUGO HUGHES A.I.MUNRO ARMIGER OF NOVAR RODERICK MCKENZIE ARMIGER OF KINCRAIG RODERICK MCLEOD ARMIGER JUNIOR OF CADBOLL ADVOCATE CHARLES C. ROSS ARMIGER JUNIOR OF SHANDWICK JOHN GRANT ARMIGER OF

GLADFIELD GEORGE MURRAY ARMIGER OF
WESTFIELD LINE LEGATUM WILLIAM CLUNAS OF
CRAIGACH WILLIAM MURRAY ARMIGER OF
ROSEMOUNT JOHN ROSS ARMIGER
ARGENTARIUM TAIN WILLIAM MURRAY JUNIOR
ARMIGER ARGENTARIUM IBID JOHN ROSS
ARMIGER RESIDENT OF RHIVES THESE HAVING
BEEN SOLEMNLY SWORN IN SAID THAT A
CERTAIN LORD GEORGE MACKENZIE OF TARBAT
BARONET AND LATER VICE-COUNT TARBAT OF
MCLEOD AND CASTLEHAVEN AND EARL OF
CROMARTY ELDEST SON OF LORD JOHN
MACKENZIE OF TARBAT BARONET WHO WAS
ELDEST SON OF LORD RODERICK MACKENZIE
COIGACH KNIGHT BROTHER OF GREAT-GRAND-
FATHER ALEXANDER MACKENZIE AT PRESENT
IN THE SERVICE MILITARY OF THE HONOURABLE
COMPANY OF MERCHANTS IN THE EAST INDIES
AND PRESENTER OF THIS PETITION ELDEST SON
OF THE DEFUNCT COLONEL ROBERT
MACKENZIE IN THE SERVICE OF THE SAID
HONOURABLE COMPANY ELDEST SURVIVING
SON OF ALEXANDER MACKENZIE OF ARDLOCH
ELDEST SON OF JOHN MACKENZIE OF ARDLOCH
WHO WAS ELDEST SON OF ALEXANDER
MACKENZIE YOUNGER GERMAIN BROTHER OF
THE SAID LORD GEORGE MACKENZIE OF TARBAT
BARONET AND LATER VICE-COUNT TARBAT
LORD OF MCLEOD AND CASTLEHAVEN AND
EARL OF CROMARTY DIED IN THE FAITH AND
PEACE OF OUR SOVEREIGN LORD KING AND
THAT THE SAID ALEXANDER MACKENZIE
PRESENTER OF THIS PETITION IS THE NEAREST
AND LEGITIMATE MALE HEIR OF THE SAID
CERTAIN LORD GEORGE MACKJENZIE OF
TARBAT BARONET AND LATER VICE-COUNT
TARBAT LORD MCLEOD AND CASTLEHAVEN AND
EARL OF CROMARTY BROTHER OF HIS GREAT-
GRANDFATHER AND THAT HE IS OF LEGITIMATE
LEGAL AGE IN WITNESS TO THIS THING THE

SIGNATURES SEALS OF SOME OF THOSE WHO
WERE INVOLVED IN THIS ENQUIRY TOGETHER
WITH THE SMALL SEAL OF OUR SOVEREIGN
LORD THE KING AND ALSO THE SEAL AND
SIGNATURE OF ALEXANDER ROSS SUTO CLERK
OF THE SAID VICE-COUNTY ARE APPENDED
GIVEN AT TAIN ON THE SEVENTEENTH DAY OF
THE MONTH OF AUGUST IN THE YEAR OF THE
LORD ABOVE WRITTEN SIGNED ALEX ROSS
SUTOR\PAR }

23 GARAFAD STENSCHOLL

\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FSWISS\FPRQ2\FCHARSET0 ARIAL;}}{\COLORTBL;\RED255\GREEN0\BLUE0;\REDO\GREEN0\BLUE0;}{*\GENERATOR MSFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\FI-568\LI568\I\F0\Fs20\TAB STENSCHOLL (QS) THE OLD PARISH CHURCH WAS DEDICATED TO \PAR \TAB ST MARTIN IN THE 1600`S THE PARISHES OF STENSCHOLL AND\PAR \TAB KILMALUAG NOW CALLED KILMUIR WERE UNITED A PARLIAMENTARY\PAR \TAB CHURCH WAS ERECTED HERE IN 1828 AND THE DISTRICT \PAR \TAB COMPRISING THE OLD PARISH OF KILMARTIN WAS CONSTITUTED A\PAR \TAB QUOAD SACRA PARISH BY THE GENERAL ASSEMBLY ON 25TH\PAR \TAB MAY 1833 THE PARISH WAS DISJOINED FROM KILMUIR AND \PAR \TAB SNIZORT BY THE COURT OF TEINDS 14/7/1847.\PAR \PAR \PAR \PAR \TAB REVERENT JAMES M. DAVIDSON MINISTER OF THE QUOAD SACRA\PAR \TAB PARISH OF STENSCHOLL SKYE RESIDING AT THE MANSE OF\PAR \TAB STENSCHOLL HE WAS ALSO TENANT OF LOTS 13 AND 14\PAR \TAB OF THE TOWN \cf1 GARRAFADA KILMUIR WESTER.\cf2 THE RIGHTS\PAR \TAB OF THE MINISTER OF THE PARISH OF STENSCHOLL ARE AND\PAR \TAB ARE DESCRIBED AS FOLLOWS IN THE " 6TH REPORT OF THE\PAR \TAB COMMISSIONERS" FOR BUILDING CHURCHES IN THE\PAR \TAB HIGHLANDS OF SCOTLAND THE PARISH OF KILMUIR SKYE\PAR \TAB STENSCOLL. THE CERTIFICATE OF COMPLETION OF THE\PAR \TAB CHURCH AND MANSE OF STENSCHOLL BEARS DATE ON THE\PAR \TAB 9TH MARCH 1829. THE

LAND IS CONVEYED TO THE\PAR \TAB
COMMISSIONERS BY THE RIGHT
HONOURABLE\cf1 SIR GODFREY\PAR \TAB
BOSVILLE MACDONALD, BARONET LORD
MACDONALD DATED\PAR \TAB 22ND AND
RECORDED IN THE GENERAL REGISTER OF
SASINES\PAR \TAB 29TH DECEMBER 1828.\cf2
THE EXTENT OF GROUND CONVEYED\PAR \TAB
FOR THE WHOLE IS 2 ACRES 3 ROODS 19 FALLS
AND 1 ELL\PAR \TAB OR THEREBY SCOTS LAND
MEASURE IT LIES WHOLLY WITHIN\PAR \TAB THE
FARM OF GEARRIGHFADDA ON THE SOUTH SIDE
OR RIGHT \PAR \TAB BANK OF THE RIVER
KILMARTIN WHICH IS THE BOUNDARY\PAR \TAB
OF THE SAID PIECE OF LAND ON THE NORTH
AND \PAR \TAB OPPOSITE TO THE FARM OF
STENSCHOLL.\PAR \PAR \TAB SINCE 14/2/1882
REVERENT JAMES MACKINTOSH DAVIDSON
WHO\PAR \TAB BEING SOLEMNLY SWORN AND
EXAMINED IN \cf1 CS46/101/1/1887\PAR \TAB
DECREET\cf2 DEPONES I AM THE MINISTER OF
THE QUOAD SACRA\PAR \TAB PARISH OF
STENSCHOLL AND HAVE BEEN SO SINCE
14TH\PAR \TAB FEBRUARY 1882 MY
PREDECESSOR WAS REV. B. ALEXANDER\PAR
\TAB MACDONALD BORN 1816 SON OF JOHN M.
BENBECULA\PAR \TAB PRES.BY QUEEN
VICTORIA 8TH FEBRUARY AND ORDAINED\PAR
\TAB 30TH APRIL 1856 DIED UNMARRIED 17
JUNE 1881.\PAR \TAB AND BEFORE HIM DONALD
MACDONALD BORN 1800 SON\PAR \TAB OF
JAMES M TORLUM BENBECULA AND
CHRISTINE\PAR \TAB MACDONALD DIED UN
MARRIED 5TH JULY 1855 AND\PAR \TAB BEFORE
HIM HENRY BEATSON PRESB. BY WILLIAM
1V\PAR \TAB 7TH FEBRUARY 1837 AND BEFORE
HIM JOHN NICOLSON\PAR \TAB BORN 1780 SON
OF ALEXANDER NICHOLSON KYLERHEA
DIED\PAR \TAB 4TH JANUARY 1837. THE

CHARGE IS AN A.S. CHARGE\PAR \TAB WHICH
WAS ERECTED 1828-29 THE 6TH REPORT\PAR
\TAB 11/10/1831 PAGES 28-29 REFERENCE TO
THE GLEBE\PAR \TAB OF THE PARISH OF
STENSCHOLL.\PAR \PAR \PAR \PAR \TAB
ALEXANDER MACDONALD SOLICITOR AT
PORTREE AND\PAR \TAB FACTOR FOR MAJOR
FRASER OF NEWTON NAIRN MAJOR\PAR \TAB
FRASER IS PROPRIETOR OF THE ESTATE OF
KILMUIR\PAR \TAB PURCHASED IN 1855 FROM
\CF1 LORD MACDONALD \CF2 STAFFIN\PAR
\TAB PARK FORMS PART OF THE ESTATE OF
KILMUIR\PAR \TAB\PAR \PAR \PAR \TAB THE
DECREET INFERS THAT REV.JAMES M.
DAVIDSON WAS\PAR \TAB PROPRIETOR ON THE
VALUATION ROLL AND NOT A TENANT\PAR \TAB
TO THE PROPRIETOR \CF1 MAJOR WILLIAM
FRASER OF NEWTON\PAR \TAB THAT IN THE
DECREET MCLEOD AND FRASER V
DAVIDSON\PAR \TAB AND RODERICK
MACKENZIE OF PLOT 20 AND HIS BROTHER\PAR
\TAB NEIL MACKENZIE PLOT 19 AS DEFENDERS
FOR RIGHT OF\PAR \TAB PASSAGE OVER
STAFFIN PARK STENSCHOLL KILMUIR.\CF2\PAR
\TAB 14/1/1887 DECREET
CS46/101/1/1887.\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR
\TAB\TAB\TAB\TAB\TAB ALEXANDER
MACKENZIE *CATHERINE MACKENZIE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB
BORN ABOUT 1791\PAR \TAB\TAB\TAB\TAB\TAB
.\PAR \TAB\TAB\TAB\TAB\TAB.\PAR
\TAB\TAB\TAB\TAB\TAB.\TAB\TAB\TAB\TAB
STENSCHOLL KILMUIR SKYE\PAR
\TAB\TAB\TAB\TAB\TAB.\TAB\TAB\TAB\TAB ON
CENSUS 1841-51-61 KILMUIR\PAR
\TAB\TAB\TAB\TAB\TAB.\TAB\TAB\TAB\TAB
DIED 12 APRIL 1867 \PAR
\TAB\TAB\TAB\TAB\TAB.\TAB\TAB\TAB\TAB
STENSCHOLL SKYE AGES\PAR

\TAB\tAB\tAB\tAB\tAB.\TAB\tAB\tAB\tAB ON
CENSUS DIFFERENT \PAR
\TAB\tAB\tAB\tAB\tAB.\TAB\tAB\tAB\tAB
FROM DEATH DATE GIVEN\PAR
\TAB\tAB\tAB\tAB\tAB.\PAR
\TAB\tAB\tAB\tAB\tAB DONALD MCKENZIE *
HELEN BROWN\PAR \TAB\tAB\tAB\tAB\tAB
BORN ABOUT 1817 KILLIEMUIR SKYE\PAR
\TAB\tAB\tAB\tAB\tAB MARRIED 9/2/1847
KINGLASSIE\PAR \TAB\tAB\tAB\tAB\tAB
10/2/1882 KINGLASSIE\PAR
\TAB\tAB\tAB\tAB\tAB HELEN BORN 1823 HILL
OF BEATH FIFE\PAR \TAB\tAB\tAB\tAB\tAB
DIED 7/2/1901 DALGETY BOTH ON CENSUS\PAR
\TAB\tAB\tAB\tAB\tAB 1851-61-71-81
KINGLASSIE FIFE\PAR \PAR
\TAB\tAB\tAB\tAB\tAB HELEN BROWN LIVED
AT ON 1890 DUNFERMLINE\PAR
\TAB\tAB\tAB\tAB\tAB DIRECTORY PAGE 132
25 ROLLAND STREET\PAR
\TAB\tAB\tAB\tAB\tAB 1896 PAGE 62
MONASTERY STREET\PAR
\TAB\tAB\tAB\tAB\tAB 1897 PAGE 62
MONASTERY STREET\PAR
\TAB\tAB\tAB\tAB\tAB HER SISTER MARGARET
BORN KINGHORN\PAR \TAB\tAB\tAB\tAB\tAB
1838 AND ON 1851 CENSUS KINGLASSIE\PAR
\PAR \TAB\tAB\tAB\tAB\tAB\PAR
\TAB\tAB\tAB\tAB\tAB MARY MCKENZIE BORN
10/4/1849 KINGLASSIE\PAR
\TAB\tAB\tAB\tAB\tAB DAUGHTER OF ABOVE
DONALD AND HELEN\PAR
\TAB\tAB\tAB\tAB\tAB MARRIED 10/4/1868
KINGLASSIE JOHN FOSTER\PAR
\TAB\tAB\tAB\tAB\tAB MARY DIED 2/10/1909
AT FOK ASYLUM CUPAR\PAR
\TAB\tAB\tAB\tAB\tAB AGE 60 AND LIVED AT
100 ST. CLAIR STREET\PAR
\TAB\tAB\tAB\tAB\tAB KIRKCALDY. AT THE

MARRIAGE TO JOHN\PAR
\TAB\TAB\TAB\TAB\TAB HE WAS AGE 20 LIVED
20 HIGH STREET\PAR \TAB\TAB\TAB\TAB\TAB
KIRKCALDY HIS PARENTS ANDREW FOSTER\PAR
\TAB\TAB\TAB\TAB\TAB FISHERMAN AND JANET
WALKER HIS WIFE\PAR \TAB\TAB\TAB\TAB\TAB
AT THAT TIME MARY LIVED 13 THISTLE
STREET\PAR \TAB\TAB\TAB\TAB\TAB
KIRKCALDY AGE GIVEN 18 JANET WITNESS.\PAR
\PAR \TAB\TAB\TAB\TAB\TAB JOHN FOSTER
DIED 23/10/1909 AGE 62 LIVED\PAR
\TAB\TAB\TAB\TAB\TAB AT 100 ST.CLAIR
STREET SINCLAIRTOWN DYSART\PAR
\TAB\TAB\TAB\TAB\TAB SON SIGNED DEATH
EXTRACT 115 LINKS STREET\PAR
\TAB\TAB\TAB\TAB\TAB KIRKCALDY.\PAR \PAR
\PAR \TAB\TAB\TAB\TAB\TAB\CF1 ANDREW
FOSTER BORN KIRKCALDY ACCORDING\PAR
\TAB\TAB\TAB\TAB\TAB TO SERVICE RECORD
10/9/1868 PARENTS\PAR
\TAB\TAB\TAB\TAB\TAB JOHN AND MARY BIRTH
SIGNED BY FATHER.\PAR \PARD\FI-568\LI568\RI-
53\TAB\TAB\TAB\TAB\TAB ANDREW FOSTER
LIVED 64 NICOL STREET KIRKCALDY\PAR
\TAB\TAB\TAB\TAB\TAB 1870\PAR
\TAB\TAB\TAB\TAB\TAB ANDREW FOSTER LIVED
12 ELGIN COTTAGES KDY\PAR
\TAB\TAB\TAB\TAB\TAB 1881\PAR
\TAB\TAB\TAB\TAB\TAB ANDREW FOSTER LIVED
12 ELGIN COTTAGES KDY\PAR
\TAB\TAB\TAB\TAB\TAB 1891\PAR
\TAB\TAB\TAB\TAB\TAB ANDREW FOSTER LIVED
173 HIGH STREET KDY\PAR
\TAB\TAB\TAB\TAB\TAB 1893\PAR
\TAB\TAB\TAB\TAB\TAB ANDREW FOSTER LIVED
19 NICOL STREET KDY\PAR
\TAB\TAB\TAB\TAB\TAB 1896\PAR
\TAB\TAB\TAB\TAB\TAB ANDREW FOSTER LIVED
122 LINKS STREET KDY\PAR
\TAB\TAB\TAB\TAB\TAB 1903\PAR

\TAB\tAB\tAB\tAB\tAB ANDREW FOSTER LIVED
17 GLASSWORK STREET KDY\PAR
\TAB\tAB\tAB\tAB\tAB 1925 HIS SON\PAR
\TAB\tAB\tAB\tAB\tAB ANDREW FOSTER LIVED
11 PRATT STREET KDY\PAR
\TAB\tAB\tAB\tAB\tAB ANDREW FOSTER LIVED
91/2 PRATT STREET KDY\PAR \PAR
\TAB\tAB\tAB\tAB\tAB ANDREW FOSTER
MARRIED 30/12/1892 KIRKCALDY\PAR
\TAB\tAB\tAB\tAB\tAB STAYED 12 ELGIN
COTTAGES DYSART PARENTS\PAR
\TAB\tAB\tAB\tAB\tAB JOHN AND MARY
MARRIED TO ELIZA JANE\PAR
\TAB\tAB\tAB\tAB\tAB HENDERSON OF 13
WEST FERGUS PLACE\PAR
\TAB\tAB\tAB\tAB\tAB KIRKCALDY PARENTS
ANDREW HENDERSON\PAR
\TAB\tAB\tAB\tAB\tAB AND ALISON BROWN
MOTHER\PAR \PAR \PAR \TAB\tAB\tAB\tAB\tAB
ANDREW FOSTER DIED 22/10/1915 SON
OF\PAR \TAB\tAB\tAB\tAB\tAB JOHN FOSTER
AND ELIZA FOSTER OF 17\PAR
\TAB\tAB\tAB\tAB\tAB GLASSWORK STREET
KIRKCALDY\PAR \TAB\tAB\tAB\tAB\tAB
BLACKWATCH 3509 7TH BN AGE 46\PAR
\TAB\tAB\tAB\tAB\tAB OR ROYAL
HIGHLANDERS REGIMENT\PAR \PAR
\TAB\tAB\tAB\tAB\tAB BURIED LAIR O242
BENOCHY CEMETRY\PAR
\TAB\tAB\tAB\tAB\tAB KIRKCALDY
TRANSFERED TO ALDRINGTON\PAR
\TAB\tAB\tAB\tAB\tAB CENTRAL HOSPITAL
DUE TO SICKNESS\PAR \TAB\tAB\tAB\tAB\tAB
PRIOR TO DYING.\PAR \PAR \PAR \PAR
\TAB\tAB\tAB\tAB\tAB\CF2 ELIZA JANE
HENDERSON BORN 10/10/1869\PAR
\TAB\tAB\tAB\tAB\tAB OVERGATE KINGHORN
PARENTS ALISON\PAR \TAB\tAB\tAB\tAB\tAB
BROWN BORN 1840 MARRIED 3/6/1864\PAR

24 TWO UNGATES TROTTERNISH

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}{\COLORTBL ;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;\REDO\GREEN0\BLUE255;}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\F0\FS16\TAB MINUTES EARL OF SUTHERLAND AG MCKENZIE OF ARDLOCH\PAR \TAB J.K.K. 1742. L OF DRUMMORE.\PAR \TAB\CF1 CS 229/MC1/127.\PAR \PAR \TAB 14 JULY 1742 L OF DRUMORE MINUTE WILLIAM EARL OF SUTHERLAND\PAR \TAB\TAB\TAB\TAB AGAINST\PAR \TAB\TAB ALEXANDER MACKENZIE OF ARDLOCK\PAR \PAR \CF2 \TAB ACTION.\PAR \TAB\PAR \TAB CHA. ERSKINE FOR THE CHARGES REPEATS THE CHARGES ON THE SUPERIORS OWN ACCEPTED BILL FOR \TAB 2965\PAR \TAB MERKS DRAWN APON HIM BY \CF1 LADY ASSINT \CF2 AND INDORSED TO THE CHARGES FOR VALUE AND CAUSE THE\PAR \TAB LETTERS MIGHT BE FOUND IN DULY ———\PAR \PAR \PAR \TAB KEN.HOME FOR THE SUSPENSION REPEATS THE REASONS OF SUSPENSION THAT THE BILL CHARGED ON BEING \PAR \TAB DRAWN BY A LADY WITH A HUSBAND THE SAME RULES UNDER THE \TAB HUSBAND \CF1 JUS MA\PAR \TAB\CF2 AND THEREFOR CANNOT BE\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR \TAB THE BILL IS OF AN OLD DATE VIS. MAY THE THIRD

1736 AND PAYABLE ONLY AT \TAB MARTIMAS
 1741 AND ANY\PAR \TAB MONEY IN EFFECTS
 RESTING BY THE SUSPENSION TO MCKENZIE OF
 ASSYNT JUNIOR TO MY INDIGNATION\PAR \TAB
 WAS ARRESTED IN THE SUSPENSION BINDS-----
 THE CAUSE OF ACCEPTING THE BILL WAS FOR
 \TAB PART\PAR \TAB OF THE AGREED PRICE OF
 A PROROGATION OF A WADSET RIGHT OF
 CERTAIN LANDS\PAR \TAB TO THE UNDER
 BELONGING TO MCKENZIE OF ASSINT AND AS AN
 EVIDENCE THEREOF THE PROROGATION
 AND\PAR \TAB BILL THE MUCH ABOUT THE SAME
 DATE BESIDES THE FACT WILL NOT BE DEEMED
 BY THE LADY \TAB ASSINT \TAB WHO\PAR \TAB
 IS PRESENTLY IN TOWN AND IS FURTHER
 INSTRUCTED BY THIS ADVICE AND
 CIRCUMSTANCE THAT THE \TAB SUMMONS\PAR
 \TAB CHARGED FOR TOGETHER WITH 1025
 MERKS MORE CONTAINED IN ANOTHER BILL OF
 THE SAME DATE AND\PAR \TAB WHEREOF THE-----
 - HAS ALREADY CLAIMED SUSPENSION WHICH IS
 PRESENTLY \TAB BEFORE MY LORD-----\PAR \TAB
 WHEN ADDED TOGETHER ANSWERS PRECISELY
 TO THE SUM AGREED TO BE PAID IN THE \TAB
 PROROGATION\PAR \TAB VIZ. 4000 MERKS AND
 TIME IT IS THAT ASSINT HIMSELF NOT ONLY
 GUARDS AND HATH ACTUALLY PAYED\PAR \TAB
 REDUCTION AND IMPROBATION OF THE
 SUPERIOR RIGHTS OF WADSET AND OF THE
 FORSAID PROROGATION\PAR \TAB THEMSELF
 BUT HUGH MCLEOD OF GENIES A CREDITOR AND
 ASSIGNEE TO ALEXANDER MCKENZIE OF\PAR
 \TAB FRASERDALE AND THE PREFERABLE
 CREDITORS HAVE OBTAINED DECREETS OF
 MAILS AND DUTIES\PAR \TAB AGAINST THE -----
 - AND SUCCESSORS OF THE ESTATE TO THAT THE
 BILL \TAB CHARGED ON THE\PAR \TAB
 GRANTED-----\PAR \PAR \PAR \PAR \TAB
 CHA. ERSKINE ANSWERS TO THE FIRST AND
 SECOND THAT HIS NOTION AND THE LADY

ASSINT WAS FACTOR\PAR \TAB AND MANAGER
FOR HER AND DID MANAGE ALL HIS AFFAIRS
WITH REGARD TO \TAB HIS\PAR \TAB ESTATE
AND RENTS THEREOF AND AS THE SUSPENSION
HAS A CURATIVE WADSETT BY THE SAID
PROROGATION\PAR \TAB THE BILL BEING
INDORSED TO THE CHARGES FOR VALUE HE
OUGHT TO MAKE PAY TO THE THIRD THAT \TAB
THERE\PAR \TAB IS NO EVICTION OF THE
WADSETT RIGHT OR PROROGATION THEREOF
AND AS TO ASSINT OWN \TAB GRANTING\PAR
\TAB THE WADSETT RIGHT THAT REDUCTION
AND IMPROBATION AT HIS INSTANCE IS -----
SLEEPING AND AS TO \PAR \TAB MCLEOD OF
GENIES AND MCKENZIE OF FRASERDALE THEIR
PRETENDED RIGHT THERE PROCESSES \TAB
ARE LIKENESS\PAR \TAB SLEEPING AND AS
THERE IS NO EVICTION THE SUSPENSION HAS NO
PRETENSE WHY HE OUGHT NOT TO PAY HIS\PAR
\TAB OWN ACCEPTED BILL WHICH CAME IN
PLACE OF THE PROROGATION THE BENIFIT
WHEREOF THE \TAB SUSPENSION\PAR \TAB
PRESENTS -----\PAR \PAR \PAR \TAB THE LORD
ORDINARY HAVING CONFINDED THE DEBATE
BEFORE AND EVER ORDAINS THE SAID
CHARGES--\PAR \TAB CURATORS TO PRODUCE
THE FACTORY TO THE LADY ASSINT AND ORDAIN
THE \TAB SUSPENDERS PROCURATOR\PAR \TAB
TO CONDESCEND MORE PARTICULARLY ON THE
GROUNDS OF EVICTION.\PAR \PAR \PAR \TAB
HEW DALR-----\PAR \PAR \TAB\PAR \TAB\cf0 GR
12 8 INVERNESS 13/3/1871\PAR \TAB DR \cf1
ADAM HUNTER SURGEON EDINBURGH\cf2 HAD
2 UNGATES OF\PAR \TAB LAND EXTENDING TO 8
MERKS TROTTERNISH ONCE BELONGING\PAR
\TAB TO MCNEIL OF BARRA PART OF THE ESTATE
OF MACDONALD\PAR \TAB DR ADAM HUNTER
CERTIFICATE FOR THE COMMITAL OF\PAR \TAB
SIR JAMES SUTHERLAND MACKENZIE BROTHER

OF ALEXANDER\PAR \TAB MACKENZIE BARONET
OF THE 48TH NATIVE INFANTRY BENGAL\PAR
\TAB WHOS MOTHER IS KATHARINE MACKENZIE
AND BY HER BELOW\PAR \TAB PETITION CLAIMS
CURATOR BONIS AND APPOINTS
ALEXANDER\PAR \TAB STUART TO OFFICE OF
JAMES S. MACKENZIE.\PAR \PAR \TAB UNTO THE
RIGHT HONOURABLE\PAR \PAR \TAB THE LORDS
OF COUNCIL AND SESSION\PAR \PAR \TAB THE
PETITION OF MRS KATHARINE MACKENZIE
RELICT OF\PAR \TAB COLONEL ROBERT
MACKENZIE OF THE SERVICE OF THE \PAR \TAB
HONOURABLE THE EAST INDIA COMPANY
MOTHER OF\PAR \TAB SIR JAMES SUTHERLAND
MACKENZIE OF TARBET BARONET\PAR
\TAB\PAR \TAB HUMBLY SHEWETH\PAR \TAB
THAT THE SAID SIR JAMES SUTHERLAND
MACKENZIE HAVING\PAR \TAB SOME MONTHS
AGO EXHIBITED UNEQUIVOCAL SYMPTONS
OF\PAR \TAB MENTAL DERANGEMENT TO AN
EXTENT DANGEROUS TO HIMSELF \PAR \TAB
AND TO THE LIEGES WAS BY WARRANT OF THE
SHERIFF OF\PAR \TAB EDINBURGH PROCEEDING
ON CERTIFICATION UNDER THE\PAR \TAB
HANDS OF DR ABERCROMBIE AND DR ADAM
HUNTER PLACED\PAR \TAB IN DR JOHN SMITHS
ASYLUM AT SAUGHTON HALL WHERE\PAR \TAB
HE NOW REMAINS UNDER THE NECESSARY
RESTRAINT\PAR \TAB THAT FROM THE
CERTIFICATES HEREWITH PRODUCED IT
APPEARS\PAR \TAB THAT ALTHOUGH THE SAID
SIR JAMES SUTHERLAND MACKENZIE\PAR \TAB
HAS SINCE HIS RESIDENCE IN SAUGHTON HALL
BECOME LESS\PAR \TAB VIOLENT AND
IRRITABLE THAN HE WAS YET THAT HE STILL
LABOURS\PAR \TAB UNDER SUCH REMAINS OF
ABBERATION OF MIND AS RENDERS\PAR \TAB
HIM UNFIT FOR BEING AT LARGE OR FOR
MANAGING HIS OWN \PAR \TAB AFFAIRS AND
THE PETITIONER HAS THE DISTRESS AND \PAR

\TAB MORTIFICATION TO BELIEVE THAT HIS
SPEEDY RESTORATION TO MENTAL\PAR \TAB
SOUNDNESS CANNOT BE LOOKED FOR.\PAR
\PAR \TAB THAT IN THESE CIRCUMSTANCES AND
AS HIS INTEREST IS SUFFERING\PAR \TAB FROM
A SMALL PENSION FROM THE EAST INDIA
COMPANY\PAR \TAB BEING TILL A DULY
AUTHORIZED PARTY BE APPOINTED\PAR \TAB
TO RECEIVE AND DISCHARGE THE SAME IT HAS
BECOME\PAR \TAB NECESSARY FOR THE
PROTECTION OF THE SIR\PAR \TAB JAMES
SUTHERLAND MACKENZIE PROPERTY AS WELL
AS \PAR \TAB THE DUE CARE OF HIS PERSON TO
APPLY TO YOUR\PAR \TAB LORDSHIPS TO
APPOINT A CURATOR BONIS TO HIM AND THE
\PAR \TAB PETITIONER BEGS LEAVE HUMBLY TO
SUGGEST MR ALEXANDER\PAR \TAB STUART
WRITER IN EDINBURGH WHO WAS HER
SONS\PAR \TAB CONFIDENTIALAGENT BEFORE
HIS AFFLICTION AS AN ELIGIBLE\PAR \TAB
PERSON FOR THE OFFICE.\PAR \TAB THE
PETITIONER THEREFOR MAKES THE PRESENT
APPLICATION\PAR \PAR \TAB MAY IT THEREFOR
PLEASE YOUR LORDSHIPS TO NOMINATE\PAR
\TAB AND APPOINT THE SAID ALEXANDER
STUART TO BE CURATOR\PAR \TAB BONIS TO
THE SAID SIR JAMES SUTHERLAND MACKENZIE
\PAR \TAB WITH THE USUAL POWERS AND IN
TERMS OF THE ACT OF\PAR \TAB SEDERUNT THE
SAID APPOINTMENT TO SUBSIST UNTIL \PAR
\TAB IT BE COMPETENTLY RECALLED ANDS THE
CURATOR\PAR \TAB FINDING SUFFICIENT
CAUTION BEFORE EXTRACT OR TO DO\PAR \TAB
OTHERWISE IN THE PREMISES AS TO YOUR
LORDSHIPS\PAR \TAB SHALL SEEM
PROPER.\PAR \PAR \TAB\TAB\TAB\TAB\TAB\TAB
ACCORDING TO JUSTICE & C.\PAR \cf0\TAB\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\cf1 JOHN
GORDON\cf2\PAR \PAR \TAB APPENDIX\PAR

\PAR \TAB MANDATE BY MRS KATHARINE
MACKENZIE TO JOSEPH GORDON\PAR \PAR \TAB
JOSEPH GORDON W.S. EDINBURGH\PAR \PAR
\TAB\tAB\tAB\tAB\tAB\tAB\tAB ELGIN
24/2/1843\PAR \PAR \TAB MY DEAR SIR IN
CONSEQUENCE OF THE LAMENTABLE
STATE\PAR \TAB OF INCAPACITY INTO WHICH MY
SON SIR JAMES SUTHERLAND\PAR \TAB
MACKENZIE BART HAS FALLEN I AM UNDER THE
PAINFUL\PAR \TAB NECESSITY OF REQUESTING
THAT FOR THE PRESERVATION\PAR \TAB AND
MANAGEMENT OF HIS PROPERTY AS WELL AS
PROVIDING\PAR \TAB FOR THE PROPER CARE OF
HIS PERSON YOU PRESENT THE\PAR \TAB
NECESSARY APPLICATION TO THE COURT OF
SESSION\PAR \TAB FOR THE APPOINTMENT OF A
CURATOR BONIS TO HIM WITH THE\PAR \TAB
USUAL POWERS IF MR ALEXANDER STUART
CIRCUIT CLERK\PAR \TAB OF JUDICIARY WILL
UNDERTAKE THE OFFICE I REQUEST THAT\PAR
\TAB HE MAY BE SUGGESTED TO THE COURT AS
A PERSON IN WHOM\PAR \TAB I HAVE THE
UTMOST CONFIDENCE AND WHOM I CONSIDER
WELL\PAR \TAB QUALIFIED TO TAKE THE
CHARGE I AM MY DEAR SIR YOUR MOST\PAR
\TAB OBEDIENT HUMBLE SERVANT\PAR \PAR
\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB SIGNED \cf3
KATHARINE MACKENZIE\cf2\PAR \PAR
\TAB\cf3 CERTIFICATE BY DR ABERCROMBIE
AND DR ADAM HUNTER\PAR \PAR
\TAB\tAB\tAB\tAB\tAB\tAB EDINBURGH
23/11/1842\PAR \PAR \TAB WE JOHN
ABERCROMBIE AND DR ADAM HUNTER
PHYSICIANS IN\PAR \TAB EDINBURGH HEREBY
CERTIFY ON SOUL AND CONSCIENCE\PAR \TAB
THAT WE HAVE VISITED AND DULY EXAMINED
SIR JAMES SUTHERLAND\PAR \TAB MACKENZIE
OF TARBET BARONET NOW RESIDING AT
SAUGHTON\PAR \TAB HALL LUNATIC ASYLUM
UNDER THE CHARGE OF DR SMITH \PAR \TAB

AND FOUND HIM LABOURING UNDER SUCH
MENTAL IMBECILITY\PAR \TAB AS TO RENDER
HIM FOR THE PRESENT INCAPABLE OF
MANAGING\PAR \TAB HIS OWN AFFAIRS\PAR
\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB SIGNED
JOHN ABERCROMBIE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB ADAM
HUNTER M.D.\PAR \TAB\PAR \TAB CERTIFICATE
BY DR ABERCROMBIE AND DR HUNTER\PAR
\PAR \TAB WE CERTIFY APOON SOUL AND
CONSCIENCE THAT WE HAVE\PAR \TAB VISITED
AND EXAMINED SIR JAMES SUTHERLAND
MACKENZIE\PAR \TAB NOW RESIDENT IN THE
ASYLUM AT SAUGHTON HALL\PAR \TAB AND
WHILE WE FIND HIM CONSIDERABLY IMPROVED
SINCE\PAR \TAB THE DATE OF OUR LAST
REPORT WE ARE OF OPINION\PAR \TAB THAT HE
STILL LABOURS UNDER SUCH REMAINS OF\PAR
\TAB ABBERATION OF MIND AS FOR THE
PRESENT RENDERS HIM\PAR \TAB UNFIT FOR
BEING AT LARGE OR FOR MANAGING HIS OWN
AFFAIRS\PAR \PAR \TAB\TAB\TAB\TAB\TAB
SIGNED JOHN ABERCROMBIE\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB ADAM HUNTER
M.D.\PAR \PAR EDINBURGH 10/3/1843
PETITION TO BE INTIMATED IN THE MINUTE
BOOK\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR \TAB
\TAB\TAB\TAB\TAB\TAB SIGNED BOYLE\PAR
\PAR \PAR \TAB EDINBURGH 22/5/1843
THEREBY CERTIFY THAT THE FOREGOING\PAR
\TAB PETITION HAS BEEN DULY INTIMATED IN
THE MINUTE BOOK\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB JOSEPH
GORDON\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB HUGH
ROSS\PAR \TAB\PAR \PAR \TAB CS
235/INM/MISCM11.1 1720 ALEXANDER
MACKENZIE HAD IN\PAR \TAB THIS DEED

REFERENCE THE BARONY OF TROTTERNISH\PAR
\TAB ISLE OF SKYE AND IT IS THIS ALEXANDER
MACKENZIE OF\PAR \TAB ARDLOCH WHO IS
GRANDFATHER TO SIR JAMES \PAR \TAB
SUTHERLAND MACKENZIE WHOS DOCTOR HAD
THE\PAR \TAB 2 UNGATES TROTTERNISH
SKYE.\TAB\tab\tab\tab\tab\tab\tab\tab\tab\tab
\CF0\PAR \CF2\PAR \CF1\PAR \TAB\PAR
\TAB\PAR \PAR \PAR \PAR \PAR \PAR \PAR \PAR
\PAR \PAR \CF0\PAR }

25 EARL OF SEAFORTH

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 TIMES NEW ROMAN;}{\F1\FSWISS\FPRQ2\FCHARSET0 ARIAL BLACK;}}{\COLORTBL;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\FI-568\LI568\F0\Fs16\TAB\B CS 235/11/MISC-3\PAR \PAR \TAB DEPOSITIONS OF MR ALEXANDER MACKENZIE AND EDWARD CALLENDER\PAR \TAB 1720\PAR \TAB\PAR \TAB ANSWERS FOR MR ALEXANDER MACKENZIE ONE OF THE PRINCIPAL\PAR \TAB CLERKS OF SESSION\PAR \PAR \PAR \TAB\CF1 THE PETITION OF THE COMMISSIONERS AND TRUSTEES FOR SALE OF \PAR \TAB FORFEITED ESTATES\CF2\PAR \PAR \PAR \TAB\B0 THE SAID COMMISSIONERS AND TRUSTEES HAVE EXHIBITED A PETITION\PAR \TAB AGAINST THE SAID MR ALEXANDER MACKENZIE COMPLAINING OF HIS\PAR \TAB REFUSEING TO GIVE THEM AN EXTRAIT OF A DECREET PRONOUNCED\PAR \TAB ON AN EXEPTION OF KENNETH MACKENZIE OF ASSINT AND COLLONEL\PAR \TAB ALEXANDER MACKENZIE OF CONASBAY HIS CURATOR AS SUPERIOR OF \PAR \TAB THE LANDS OF \CF1 TROTTERNESS \CF2 LATE THE PROPERTY OF THE LATE SIR\PAR \TAB DONALD MACDONALD.\PAR \PAR \TAB AND CRAVEING

THAT HE AND HIS SERVANT MAY BE EXAMINED
 UPON\PAR \TAB THE MATTER CONTAINED IN THE
 SAID PETITION AND THAT HE MAY\PAR \TAB BE
 ORDAINED TO GIVE AN EXTRACT OF THE
 PROCESS OR TO SECURE\PAR \TAB THE
 TRUSTEES AGAINST FUTURE EXTRAITES AND TO
 ORDAIN HIM\PAR \TAB TO FIND CAUTION FOR
 SUCH DAMAGES AS MAY ARISE TO THE
 TRUSTEES\PAR \TAB AND THAT HE MAY BE
 CENSURED AND TO PRODUCE THE GROUNDS
 AND\PAR \TAB WARRANTS OF THE PROCESS
 THE SAID MR ALEXANDER MACKENZIE WILL\PAR
 \TAB WITH GREAT EASE MAKE ANSWER TO
 WHAT IS CHARGED UPON HIM\PAR \PAR \TAB
 AND FIRST HE SAYS THERE WAS AN EXEPTION
 AS TO THE LANDS OF\PAR \TAB\cf1
 TROTTERNISH\cf2 EXHIBITED IN THE MANNER
 MENTIONED IN THE \PAR \TAB PETITION AND
 THAT THERE WERE ANSWERS PUTT IN BY
 THE\PAR \TAB COMMISSIONERS TO THE SAID
 EXCEPTION\PAR \PAR \TAB BUT THEN HE SAYS
 THAT THERE WAS NO SUCH
 INTERLOQUITORY\PAR \TAB SENTENCE AS
 MENTIONED IN THE PETITION PRONOUNCED BY
 THE\PAR \TAB COURT NOR DID HE DELIVER A
 COPIE OF SUCH AN INTERLOQUITOR\PAR \TAB
 TO \cf1 THOMAS FORDYCE AGENT\cf2 AND
 DOER FOR THE TRUSTEES NOR\PAR \TAB DOES
 HE BELIEVE THAT \cf1 EDWARD CALLENDER
 \cf2 HIS SERVANT DID \PAR \TAB DID DELIVER
 ANY SUCH INTERLOQUITOR OR DECREE IN THE
 \PAR \TAB TERMS MENTIONED IN THE
 PETITION\PAR \TAB\PAR \TAB THAT WHAT
 ENDEVOURS WERE USED FOR OBTAINING AN
 EXTRACT\PAR \TAB WAS A FRUITLESS LABOUR
 FOR REASONS FORESAID\PAR \PAR \TAB
 AFFIRMS THAT ASSINT WHO PRESENTED THE
 EXEPTION DID AGAIN\PAR \TAB WITHDRAW HIS
 EXCEPTION AND QUITT ANY CLAIM HE
 THEREBY\PAR \TAB AND THIS APPEARS BY

WHAT IS WRITT ON THE BACK OF THE \PAR \TAB
EXCEPTION\PAR \PAR \TAB HE IS ALTOGETHER
UNCONCERNED WHAT MAY BE THE
CONSEQUENCE\PAR \TAB OF THE PETITIONERS
WANT OF AN EXTRACT OF A SENTENCE THAT
\PAR \TAB WAS NEVER GIVEN\PAR \PAR \TAB
THAT HE NEITHER HAS ANY SUCH
INTERLOQUITOR NOR DOES BELIEVE\PAR \TAB
THAT ANY SUCH EVER WAS PRONOUNCED\PAR
\PAR \TAB THAT HE WAS WILLING TO PRODUCE
AND LAY BEFORE YOUR LORDSHIPS\PAR \TAB
AS NOW HE HAS DONE THE PRINCIPAL
EXCEPTION WITH THE ANSWER\PAR \TAB
DELIVERED\PAR \PAR \TAB NOR IS HE
CONCERNED IN THE REASONING PART OF THE
PETITION\PAR \TAB WHERE THE PETITIONERS
WOULD FORM AN ARGUMENT AGAINST\PAR
\TAB HIM AS IF IT WERE INCREDIBLE THAT
ASSINT WOULD MOVE AN\PAR \TAB OBJECTION
AGAINST HIMSELF THOUGH HE BELIEVES THE
TRUE\PAR \TAB REASON WAS THAT WHEN
ASSINTES PROCURATORS CAME\PAR \TAB TO
LOOK INT THE DEIT OF MAILLS AND DUTIES
OBTAINED AT HIS\PAR \TAB INSTANCE AGAINST
THE VASSALLS THEY FOUND THAT \cf1 SIR
DONALDS\cf2\PAR \TAB TENNENTS WERE NOT
CALLED THEREIN NOR HAD HE OBTAINED
HIMSELF \PAR \TAB INFECT IN THE SAID LANDS
IN THE TERME OF THE ACT FOR
ENCOURAGEING\PAR \TAB SUPERIORS ETC\PAR
\PAR \TAB AND IT IS SOMEWHAT TOO SUBTILL TO
SAY THAT IF ASSINT HAS WITHDRAWN\PAR \TAB
ANYTHING TIS SUSPECTED TO BE SIGNED
INTERLOQUITOR FOR BY THE\PAR \TAB TERM "
WITHDRAWN" HERE NOTHING ELSE COULD BE
MEANT BUT\PAR \TAB THAT ASSINT HAD WAVED
OR PASSED FROM HIS EXCEPTION\PAR \PAR
\TAB HE SAYS THAT HE HAD NOT WITHDRAWN
THE PROCESS NOR ANY\PAR \TAB PART OF THE

PROCESS ALL IS STILL EXTANT AND IS
HEREWITH\PAR \TAB PRODUCED.\PAR \PAR
\TAB\PAR \PAR \PAR \CF1 \TAB CS 235/11/MISC-
4\CF2\PAR \PAR \TAB AS TO WHAT IS ALLEGED
THAT THE INTERLOQUITOR WAS ACTUALLY\PAR
\TAB SIGNED UPON AN AGREEMENT ADDUCED
FROM THE ACT OF REGULATION\PAR \TAB 1672
THAT DOES NOT CONCERNE HIM NO DOUBT THE
COMMISSIONERS\PAR \TAB MIGHT HAVE
OBTAINED PROTESTATION BUT THEY DO NOT
PRETENT\PAR \TAB THAT THE SAME WAS
SOUGHT AND THEY MIGHT HAVE GOT
NOTTICE\PAR \TAB FROM THE PROCURATORS
COMPEARING FOR THEM THAT THE \PAR \TAB
EXCEPTANT DID WAVE HIS CLAIM WITHOUT ANY
OPPOSITION\PAR \TAB ON THEIRSIDE\PAR \PAR
\TAB NOR IS IT HIS BUSINESS MUCH TO NOTICE
WHAT IS ARGUED\PAR \TAB FROM THE
PRESIDENTES ROLL IT IS SUFFICIENT FOR HIS
\PAR \TAB EXONERATION TO SAY THAT NO SUCH
INTERLOQUITOR\PAR \TAB WAS SIGNED BY THE
PRESEDENT AND THEREFORE HE IS NOT\PAR
\TAB FARTHER CONCERNED\PAR \PAR \TAB HE
SUBMITTS HIMSELF TO ONE EXAMINATION AND
TO YOUR\PAR \TAB LORDSHIPS JUDGEMENTS
AFTER THE EXAMINATION IS MADE\PAR \TAB
AND HOPES THAT AFTER TRIAL THE PETITION
WILL BE FOUND\PAR \TAB GROUNDLESS ONLY
THIS HE MUST OBSERVE THAT SEEING\PAR \TAB
THE PETITIONERS PRETEND TO HAVE A COPY OF
THE \PAR \TAB INTERLOQUITOR UNDER \CF1
EDWARD CALENDERS \CF2 HAND THE
SAME\PAR \TAB OUGHT TO HAVE BEEN
PRODUCED AND TILL IT BE PRODUCED \PAR
\TAB HE WILL BEG LEAVE TO SAY THAT HE HAS
GREAT DIFFERENCE\PAR \TAB THEREOF.\PAR
\PAR \TAB\TAB\TAB\CF1 YOUR LORDSHIPS MAY
PROCEED TO EXAMINATION\PAR \TAB\TAB\TAB
AND TRYALL WHEN YOU PLEASE MR
MACKENZIE\PAR \TAB \TAB\TAB IS READY TO

MAKE ANSWERS BUT IN THE MEAN\PAR
\TAB\tAB\tAB TIME HE EXPECTES THAT YOUR
LORDSHIPS WILL\PAR \TAB\tAB\tAB ORDAIN
THE COPIE OF THE INTERLOQUITOR\PAR
\TAB\tAB\tAB MENTIONED IN THE PETITION TO
BE EXHIBITED WHICH\PAR \TAB\tAB\tAB HE
FIRMLY BELEIVES WAS NOT DELIVERED TO \CF2
THOMAS\PAR \TAB\tAB\tAB FORDYCE \CF1 THE
AGENT\CF2\PAR \PAR
\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB
ALEXANDER HAY.\PAR \PAR \PAR \TAB UPON
THE FIRST DAY AUGUST 1M [1000] VIJC [700] AND
NINETEEN\PAR \TAB YEARS I THOMAS GRAME
ONE OF THE MACERS BEFORE THE RIGHT\PAR
\TAB HONOURABLE THE LORDS OF COUNCIL
AND SESION BY VIRTUE\PAR \TAB OF AND IN
OBEDIENCE TO THE SAID LORDS THEIR ACT OF
SEDERUNT\PAR \TAB DATED THE FOURTEENTH
OF JULY LAST FOR RECORDING EXEPTIONS\PAR
\TAB IN A PARLAR REGISTER CONFORM TO THE
ACT OF PARLIAMENT\PAR \TAB QUINTO GEORGII
IN THE FIFTH OF GEORGE\PAR \PAR \TAB DID
PASS WITH THE WITNESSES AFTERNAMED AND
HERETO SUBSCRIBING\PAR \TAB TO THE OFFICE
WITHIN THE PARLIAMENT CLOSS OF THE
COMMISSIONERS\PAR \TAB OF INQUIRE AND
TRUSTEES FOR DISPOSING OF FORFEITED
ESTATES\PAR \PAR \TAB AND THEN AND THERE
DID INTIMATE TO THE COMMISSIONERS AND
TRUSTEES\PAR \TAB THAT THE EXCEPTIONS
FOR \CF1 KENNETH MCKENZIE OF ASSINT \CF2
AND HIS \PAR \TAB CURATORS FOR THE
INTEREST EXCIPIENTS WERE UPON THE THIRTY
\PAR \TAB FIRST DAY OF JULY LAST PRESENTED
TO THE SAID LORDS OF SESSION\PAR \TAB\PAR
\PAR \TAB TO THE INTENT THE SAID EXCIPIENTS
THEIR RIGHT AND TITLE TO THE\PAR \TAB\CF1
FOURSCORE MERK LANDS OF TROTTERNESS
\CF2 MIGHT BE ASCERTAINED AND\PAR \TAB

DECLARED NOTWITHSTANDING OF THE
 ATTAINER OR CONVICTION OF \PAR \TAB \CF 1 SIR
 DONALD MACDONALD OF SLATE \CF 2 AND LATE
 \CF 1 EARL OF SEAFORTH \CF 2 \PAR \PAR \TAB
 AND WITH THE VOUCHERS AND INSTRUCTIONS
 THEREOF ARE LODGED \PAR \TAB AND IN THE
 OFFICE OF MR \CF 1 ALEXANDER
 MACKENZIE \CF 2 ONE OF THE \PAR \TAB
 PRINCIPAL CLERKS OF SESSION WHERE THE
 SAME ARE TO BE SEEN \PAR \TAB \TAB \PAR \PAR
 \TAB THIS I DID BY LEAVING WITH AND
 DELIVERING A FULL DOUBLE OF \PAR \TAB THE
 SAID EXCEPTIONS AN AUTHENTICK COPY
 HEREOF THERETO \PAR \TAB SUBJOINED WITHIN
 THE SAID OFFICE TO \CF 1 ALEXANDER
 MONRO \PAR \TAB \CF 2 HOUSEKEEPER IN
 ABSENCE OF THE SAID COMMISSIONERS
 AFTER \PAR \TAB I ENQUIRED IF ANY OF THEM
 WERE PRESENT AND IN THE OFFICE \PAR \TAB
 AT THAT TIME BEFORE AND IN PRESENCE OF
 ARCHIBALD AND \PAR \TAB DUGALD
 CAMPBELLS BOTH WRITERS IN EDINBURGH
 AND \PAR \TAB FOR THE MORE VERIFICATION
 HEREOF I THE SAID WITNESSES \PAR \TAB
 SUBSCRIBED THESE PRESENTS DAY AND DATE
 SAID. \PAR \PAR \PAR \PAR \TAB \CF 1 CS
 235/11/MISC-5 \CF 2 \PAR \TAB \PAR \TAB COPY
 INTERLOQUITOR ASSINT AGAINST SIR DONALD
 MCDONALD \PAR \TAB LANDS \CF 1
 TROTTERNISH 1719 \CF 2 \PAR \PAR \TAB 3
 SEPTEMBER 1719 \PAR \PAR \TAB THE LORDS
 HAVING ADVISED THE EXCEPTIONS PRESENTED
 BY \CF 1 \PAR \TAB KENNETH MCKENZIE OF
 ASSINT AND COLLONEL ALEXANDER \PAR \TAB
 MCKENZIE OF CANNASBY \CF 2 HIS CURATOR
 ACTS OF PARLIAMENT \PAR \TAB REFERED TO
 THEREIN ANSWERS FOR THE PUBLIC WITH
 THE \PAR \TAB WRITS PRODUCED AND
 DEBAITE \PAR \PAR \TAB THEY FIND THAT THE
 EXCEPTANT HATH RIGHT TO THE PROPERTY \PAR

\TAB OF \cf1 FOURSORE MARK LAND OF
TROTTERNESS \cf2 LYING WITHIN\PAR \TAB
THE PAROCHIAL DISTRICT AND SHERIFDOM OF —
—————\PAR \TAB WHICH WERE HOLDEN OF
THE EXIPIENT AS SUPERIOR BY THE\PAR \TAB
LATE \cf1 SIR DONALD MCDONALD \cf2 WHO
WAS ATTAINED OF HIGH\PAR \TAB TREASON BY
AN ACT 1 GEORGII OF THE 1ST OF GEORGE\PAR
\TAB INTITLED AN ACT FOR THE ATTAINDER OF
\cf1 GEORGE EARL MARSHALL\PAR \TAB
ETC\PAR \PAR \TAB\cf2 AND FIND THE
EXCEPTANT HATH RIGHT TO THE RENTS PROFITS
AND \PAR \TAB ISSUES PAYABLE FOR THE SAID
LANDS FROM AND SINCE THE 27TH\PAR \TAB OF
JUNE 1715 WITH THE BURDEN OF PROPORTION
OF THE DEBTS IN\PAR \TAB THE TERMS OF THE
ACT OF PARLIAMENT 5 GEORGII OF THE 5TH\PAR
\TAB OF GEORGE INTITLED ACT FOR ENLARGING
THE TIME TO DETERMINE\PAR \TAB CLAIMS ON
FORFEIT ESTATES AND THAT THE PUBLIC HATH
NO\PAR \TAB RIGHT THERETO AND FIND
DECERN AND DECLARE ACCORDINGLY\PAR
\TAB\PAR \TAB SIC SUB SCRIB ITUR THUS IT IS
SUBSCRIBED \cf1 JAMES ERSKINE\PAR \PAR
\PAR \TAB\cf2 4TH FEBRUARY 1720\PAR \TAB
LORD PENCAILLAND\PAR \TAB THIS IS THE COPY
OF THE ALLEGED INTERLOQUITOR STO
WHICH\PAR \TAB ALEXANDER MCKENZIE ONE
OF THE CLERKS OF SESSION HIS\PAR \TAB OATH
OF THIS DATE RELATES\PAR \PAR \TAB \cf1
J.HAMILTON\PAR \PAR \PAR \PAR \PAR \TAB CS
235/11/MISC-6\PAR \PAR \TAB\cf2 ANSWERS
FROM MR ALEXANDER MACKENZIE TO THE
PETITION\PAR \TAB GIVEN IN BY THE TRUSTEES
TO FORFEITED ESTATE 1720\PAR \TAB\PAR \TAB
4 FEBRUARY 1720\PAR \PAR \TAB IN THE
PRESENCE OF THE LORD PENCAILLAND
COMPEARED ALEXANDER\PAR \TAB MCKENZIE
ONE OF THE CLERKS OF SESSION\PAR \PAR \TAB

AND BEING SOLEMNLY SWORN EXAMINED AND INTERROGATED IN TERMS OF THE INTERLOQUITOR OF THIS DATE DISPONES THAT THE DEPONENT DID NEVER WRITE ANY INTERLOQUITOR SUSTAINING THE EXCEPTION AT THE INSTANCE OF KENNETH MCKENZIE OF ASSINT AND HIS CURATORS AGAINST THE PUBLIC FINDING THAT THE EXCEPTANT HAD RIGHT TO THE PROPERTY OF THE LANDS OF TROTTERNISH WHICH WERE HOLDEN BY THE LATE SIR DONALD MCDONALD OF THE EXCEPTANT. AND THAT IT DOES NOT CONSIST WITH HIS KNOWLEDGE THAT ANY SUCH INTERLOQUITOR WAS WRITTEN BY ANY OTHER OF THE CLERKS OF SESSION AS MENTIONED IN THE PETITION AND COMPLAINT OFFERED IN NAME OF THE COMMISSIONERS AND TRUSTEES FOR THE SALE OF FORFEITED ESTATES AN ALLEGED COPY WHEREOF IS PRESENTLY PRODUCED AND MARKED BY THE LORD EXAMINATOR AND THAT THE DEPONENT DID NEVER SEE ANY SUCH INTERLOQUITOR SIGNED BY THE LORD GRANGE THEN PRESIDENT OF THE COURT OF SESSION WHICH BEARS TO BE DATED THE THIRD DAY OF SEPTEMBER LAST AND THAT THE DEPONENT DOES NOT REMEMBER THAT ANY SUCH INTERLOQUITOR PASSED IN THE SAID COURT OF SESSION AND FURTHER PRODUCED THE PRINCIPAL EXCEPTION WHICH HAS NO SIGNED INTERLOQUITOR UPON IT EXCEPT THAT OF THE LAST OF JULIE ORDERING THE SAME TO BE INTIMATED AT THE ENQUIRY OFFICE AND UPON THE

BACK OF THE SAID EXEPTION THERE IS
WRITEN\PAR \TAB THE WORD "WITHDRAWN"
WITH THE DEPONENTS OWN HAND\PAR
\TAB\PAR \PAR \TAB AND THAT IT WAS NOT
ORDINARY IN OTHER CASES TO SIGN\PAR \TAB
THAT WORD "WITHDRAWN" WHEN THERE WAS
NO MORE\PAR \TAB UPON IT\PAR \PAR \TAB HE
ALSO PRODUCES THE EXECUTION OF THE SAID
EXCEPTION WITH\PAR \TAB TWO ANSWERS
GIVEN IN BY PUBLIC TO THE EXCEPTION\PAR
\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF1
ALEXANDER MACKENZIE\PAR \PAR
\TAB\CF2\TAB\TAB\TAB\TAB\TAB\TAB\CF1
J.HAMILTON\PAR \PAR \TAB\CF2 PRESENTED BY
\CF1 MCKENZIE OF ASSINT \CF2 AND HIS
CURATORS ONE DATED\PAR \TAB TENTH OF
AUGUST AND THE OTHER THE THIRD
SEPTEMBER LAST\PAR \TAB WHICH ARE THE
ONLY ANSWERS GIVEN IN BY THE
COMMISSIONERS\PAR \TAB TO THE HAILL
EXCEPTIONS PRESENTED BY \CF1 ASSINT\PAR
\PAR \TAB\CF2 AND DEPONES HE HAS NO
OTHER GROUNDS OR WARRADS\PAR \TAB IN
RELATION TO THE SAID INTERLOQUITOR NOR
DOES\PAR \TAB HE REMEMBER THAT THERE
WERE ANY WRITES PRODUCED\PAR \TAB
RELATING TO THE LANDS MENTIONED IN THE
SAID EXCEPTION\PAR \TAB EXCEPT SUCH AS
WERE PRODUCED BY THE EXCEPTANTS\PAR
\TAB AND TAKEN UP BY THEM OR THEIR DOERS
\PAR \TAB AND THIS IS THE TRUTH AS HE SHALL
ANSWER TO GOD\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF1
ALEXANDER MACKENZIE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB
J.HAMILTON\PAR \PAR \PAR \TAB CS
235/11/MISC-7\PAR \PAR \TAB\CF2 23
FEBRUARY 1720\PAR \PAR \TAB\CF1 EDWARD
CALLENDER \CF2 SERVITOR TO\CF1 MR

ALEXANDER MCKENZIE \TAB\PAR \TAB\CF2 ONE
 OF THE CLERKS OF SESSION AND BEING
 SOLEMNLY SWORN\PAR \TAB EXAMINED AND
 INTERROGATED IN THE TERMS OF THE
 INTERLOQUITOR\PAR \TAB OF THE 4 TH
 FEBRUARY INSTANT\PAR \PAR \TAB DEPONES
 THAT HE DID NOT DELIVER TO \CF1 MR FORDYCE
 \CF2 OR TO ANY\PAR \TAB OTHER DOER FOR
 THE COMMISSIONERS OR TRUSTEES FOR
 FORFEITTED\PAR \TAB ESTATES THE COPY OF
 THE INTERLOQUITOR MENTIONED IN THE
 SAID\PAR \TAB TRUSTEES THEIR PETITION
 DATED TWENTY FIRST JANUARY LAST\PAR \TAB
 FINDING THAT \CF1 KENNETH MCKENZIE OF
 ASSINT AND COLLONEL\PAR \TAB MCKENZIE
 \CF2 HIS CURATOR HAD RIGHT AS SUPERIORS
 TO THE PROPERTY\PAR \TAB OF THE LANDS OF
 \CF1 TROTTERNISH \CF2 WHICH HELD OF HIM
 BY THE LATE\PAR \TAB\CF1 SIR DONALD
 MCDONALD \PAR \TAB\CF2 IN SO FAR AS THE
 DEPONENT REMEMBERS\PAR \PAR \TAB AND
 THAT HE KNOWS NOTHING OF THE GIVING OUT
 DOUBLE OF THE\PAR \TAB SAID INTERLOQUITOR
 TO THE SAID COMMISSIONERS OR THEIR
 DOERS\PAR \TAB WHICH COPY OF THE SAID
 INTERLOQUITOR AS MENTIONED IN THE \PAR
 \TAB SAID PETITION IS MARKED BY THE LORD
 EXAMINATOR\PAR \PAR \TAB AND BEING
 EXAMINED AND INTERROGATED BY THE
 PROCURATORS\PAR \TAB OF THE SAID
 TRUSTEES IF THE PAPER PRESENTLY
 PRODUCED BY\PAR \TAB THEM AND MARKED BY
 THE ORDINARY WHICH CONTAINS AN\PAR \TAB
 INTERLOQUITOR IN FAVOUR OF \CF1 KENNETH
 MCKENZIE \CF2 IN RELATION\PAR \TAB TO THE
 PROPERTY OF THE LANDS AND ESTATE OF \CF1
 APPECROSS\PAR \TAB\CF2 WHICH HE
 CLAIMED AS SUPERIOR OF THE SAID LANDS\PAR
 \PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF1
 EDWARD CALLENDER\PAR

\TAB\tAB\tAB\tAB\tAB\tAB\tAB
J.HAMILTON\PAR \PAR \TAB\CF2 AND TO WHICH
IS ADJECTED A MEMORIAL IN THESE TERMS
VIZ..\PAR \TAB THE LIKE INTERLOQUITOR IS
APON THE OTHER EXCEPTIONS AGAINST\PAR
\TAB THE VASSALS MUTATIS MUTANDIS
NECESSARY CHANGES BEING\PAR \TAB MADE
EXCEPT THESE AGAINST WHOM THE
CONDISCENDANCE\PAR \TAB WAS GIVEN AND
WHEREON THEY ARE ALLOWED A DILLIGENCE
TO\PAR \TAB PROVE THAT THE LANDS HOLD OF
ASSINT\PAR \PAR \TAB IF THE SAID PAPERS
MARKED AS SAID IS WAS THE HAND WRITING OF
THE\PAR \TAB DEPONENT AND DELIVERED BY
HIM TO THE SAID \CF1 THOMAS\CF2\PAR
\TAB\PAR \PAR \TAB AND DEPONES THAT HE DID
DELIVERED THE SAID PAPER TO THE BEST\PAR
\TAB OF THE DEPONENTS MEMORY TO THE SAID
\CF1 THOMAS FORDYCE \CF2 OR\PAR \TAB HIS
SERVANT AS DOERS FOR THE SAID
COMISSIONERS\PAR \PAR \TAB AND DEPONES
THAT HE DID NEVER DELIVER ANY OTHER COPY
OF\PAR \TAB AN INTERLOQUITOR IN RELATION
TO ASSINT RIGHT OF PROPERTY\PAR \TAB TO
THE LATE \CF1 SIR DONALD MCDONALD LANDS
TROTTERNISH\CF2\PAR \TAB OR THE OTHER
VASSALS OF THE LATE \CF1 EARL OF
SEAFORTH\PAR \TAB\CF2 EXCEPT WHAT IS
ABOVE DEPONED ON TO THE BEST OF THE \PAR
\TAB DEPONENTS MEMORE\PAR \PAR \TAB AND
BEIND INTERROGATED IF THE DATES WRITEN ON
THE MARGINS\PAR \TAB OF THE SAID PAPER BE
THE TRUE DATES DEPONES HE DOES NOT\PAR
\TAB KNOW BUT IS WILLING TO PRODUCE THE
PRINCIPAL WARANDS\PAR \TAB
THEMSELVES\PAR \PAR \TAB AND THAT
ORDINARLY THE COMMISSIONERS DOERS GET
COPIES\PAR \TAB OF THE INTERLOQUITORS
BEFORE THE SAME WERE SIGNED\PAR \TAB BY

THE LORD PRESIDENT\PAR \TAB AND THIS IS
THE TRUTH AS HE SHALL ANSWER TO GOD\PAR
\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF 1
EDWARD CALLENDER\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB
J.HAMILTON\PAR \PAR \TAB\CF2 MR CARDEN
PROCURATOR OR FOR THE SAID TRUSTEES
DECLAIED\PAR \TAB THAT HE HAS
CONCLUDED HIS PROBATION BY THE ABOVE
OATHS\PAR \TAB THE LORD ORDINARY IS TO
REPORT THE SAME TO THE LORD WITH\PAR \TAB
HIS FIRST CONVENIENCE AND ALLOWS TH SAID
PROCURATORS\PAR \TAB IN THE MEAN TIME TO
SEE THE INTERLOQUITOR AS TO THE\PAR \TAB
PROPERTY OF \cf 1 APPECROSS \cf2 TO THE
END THEY MAY KNOW THE DATE\PAR \TAB
THEREOF\PAR \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF 1
J.HAMILTON\PAR \PAR \TAB\PAR \PAR \TAB
CS235/11/MISC-1\PAR \PAR \TAB\CF2
EXCEPTIONS FOR \cf 1 KENNETH MACKENZIE
OF ASSINT \cf2 AND HIS CURRATORS\PAR \TAB
ANENT THE LANDS OF \cf 1 TROTTERNISH \cf2
BELONGING TO THE DECEASED\PAR \TAB\CF 1
SIR DONALD MACDONALD\cf2 WITHDRAWN
1719 \cf 1 MCKENZIE CLERK\PAR \TAB T.G.
THOM.GRAEM\PAR \PAR \TAB AD & DC \cf2
SIGNED\PAR \PAR \TAB EXCEPTIONS FOR \cf 1
KENNETH MACKENZIE OF ASSINT AND
COLLONEL\PAR \TAB ALEXANDER MACKENZIE
OF CONANSBAY \cf2 HIS CURATOR FOR
HIS\PAR \TAB INTEREST AGAINST THE
POSSESSION TAKEN OR TO BE TAKEN\PAR
\TAB\CF 1 OF THE FOURSCORE MERK LAND
TROTTERNISH\cf2 SURVEYED\PAR \TAB BY
ORDER OF THE COMMISSIONERS AND TRUSTEES
APPOINTED\PAR \TAB FOR FORFEITED
ESTATES\PAR \PAR \TAB HUMBLLY PRESENTED IN
PURSUANCE OF THE ACT QUINTO GEORGII
IN\PAR \TAB THE FIFTH YEAR OF GEORGE

ENTITLED ACT FOR ENLARGEING\PAR \TAB THE
TIME TO DETERMINE CLAIMS ON THE FORFEITED
ESTATES\PAR \PAR \TAB TO THE RIGHT
HONOURABLE THE LORDS OF COUNCIL
AND\TAB\PAR \TAB SESSION\PAR \PAR \PAR
\TAB TO THE INTENT HIS RIGHT AND TITLE TO
THE SAID \cf1 FOURSORE\PAR \TAB MERK
LANDS TROTTERNISH \cf2 HOLDEN BY \cf1 SIR
DONALD MCDONALD\PAR \TAB LATE OF SLATE
\cf2 OF THE SAID EXCIPIENT AS SUPERIOR
THEREOF\PAR \TAB\PAR \PAR \TAB MAY IN THE
TERMS OF TH ACT OF THE FIRST OF THE KING
ENTITLED\PAR \TAB ACT FOR ENCOURAGEING
ALL SUPERIORS VASSALS ETC BE
ASCERTAINED\PAR \PAR \TAB BY THE FORESAID
ACT OF THE FIRST OF THE KING ENTITLED ACT
FOR\PAR \TAB ENCOURAGING ALL SUPERIOR
VASSALLS LANDLORDS AND TENNANTS\PAR
\TAB IN SCOTLAND IT IS AMONGS OTHER THINGS
ENACTED THAT IF ANY SUBJECT\PAR \TAB OF
GREAT BRITAIN HOLDING LANDS OF A SUBJECT
SUPERIOR IN SCOTLAND\PAR \TAB HAS BEEN OR
SHALL BE GUILTY OF SUCH HIGH TREASON OR
TREASONS\PAR \TAB AS ARE MENTIONED IN THE
SAID ACT EVERY SUCH OFFENDER WHO\PAR
\TAB SHALL BE THEREOF DUELY CONVINCED
AND ATTAINED SHALL\PAR \TAB BE LIABLE TO
THE PAINS PENALTIES AND FORFEITURES OF
HIGH\PAR \TAB TREASON AND HIS LANDS OR
TENEMENTS HELD OF ANY SUBJECT\PAR \TAB
SUPERIOR IN SCOTLAND SHALL RECOGNISE
AND RETURN INTO \PAR \TAB THE HANDS OF
THE SUPERIOR AND THE PROPERTY SHALL BE
AND\PAR \TAB IS HEREBY CONSOLIDATED WITH
THE SUPERIORITY IN THE SAME\PAR \TAB
MANNERAS IF THE LANDS OR TENEMENTS HAD
BEEN BY THE VASSAL\PAR \TAB RESIGNED INTO
THE LANDS OF THE SUPERIOR AD PERPETUAM
REMANENTIAM\PAR \TAB REMAING THERE FOR

EVER\PAR \PAR \TAB AND IT IS FURTHER
ENACTED THAT IF THE SUPERIORS TO WHOM
THE LANDS\PAR \TAB AND TENEMENTS ABOVE
MENTIONED ARE DECLAIRED AND
ORDAINED\PAR \TAB TO BELONG SHALL SHALL
NOT WITHIN SIX MONTHS TO BE RECKONED
FORM\PAR \TAB THE TIME OF THE ATTAINDER OF
THE OFFENDERS RESPECTIVELY OBTAIN\PAR
\TAB THEMSELVES INFECT OR DO DILLIGENCE
REALLY AND WITHOUT COLLUSION\PAR \TAB
FOR ATTAINING POSSESSION IN EVERY SUCH
CASE THE FORFEITURES\PAR \TAB SHALL
BELONG TO HIS MAJESTY HIS HEIRS AND
SUCCESSORS\PAR \PAR \TAB BY A SUBSEQUENT
ACT OF THE SAME YEAR OF HIS MAJESTYS
REIGN\PAR \TAB ENTITLED ACT FOR THE
ATTAINDER OF \cf1 GEORGE EARL OF
MARISHAL\PAR \TAB WILLIAM EARL OF
SEAFORTH \cf2 AND OTHERS OF HIGH
TREASON\PAR \TAB UNLESS THEY SHALL
SURRENDER THEMSELVES TO JUSTICE BY A
DAY\PAR \TAB CERTAIN HEREIN
MENTIONED\PAR \TAB IT IS ENACTED\PAR \PAR
\TAB THAT IF THE ABOVE PERSONS AND OTHERS
THEREIN NAMED AMONG\PAR \TAB WHOM IS
THE SAID \cf1 SIR DONALD MCDONALD OF
SLATE\cf2 SHOULD\PAR \TAB NOT RENDER
THEMSELVES TO ONE OF HIS MAJESTYS
JUSTICE\PAR \TAB OF THE PEACE ON OR
BEFORE THE LAST DAY OF JUNE 1716\PAR \PAR
\TAB THEN EVERY OF THEM NOT RENDERING
HIMSELF AS AFORESAID\PAR \TAB SHOULD
FROM AND AFTER THE 13 OF NOVEMBER 1715
STAND\PAR \TAB AND BE ADJUDGED ATTAINED
OF THE SAID HIGH TREASON TO\PAR \TAB ALL
INTENTS AND PURPOSES WHATSOEVER AND
SHOULD SUFFER\PAR \TAB AND FORFEIT AS A
PERSON ATTAINED OF HIGH TREASON BY THE
LAWS\PAR \TAB OF THE LAND OUGHT TO
SUFFER AND FORFEIT\PAR \PAR \TAB\cf1

CS235/11/MISC-2\PAR \PAR \TAB\CF2 THE ESTATE OF SEAFORTH WAS AFFECTED WITH MANY AND VARIOUS\PAR \TAB APPRISEINGS ALL LED BEFORE THE YEAR 1650 FOR SUMS FAR \PAR \TAB EXCEEDING THE VALUE OF THE ESTATE AND WHEREOF THE LEGAL\PAR \TAB WAS EXPIRED AND WHICH WERE PURCHASED BY \CF1 SIR GEORGE MACKENZIE\PAR \TAB OF TARBET \CF2 AFTERWARDS EARL OF CROMARTY AND CERTAIN OTHER\PAR \TAB PERSONS WHO UPON THE RIGHTS ACQUIRED BY THEM DID EXPEDE\PAR \TAB INFETEMENTS IN THEIR OWN PERSON AS WILL APPEAR BY THE CHARTER\PAR \TAB UNDER THE GREAT SEAL DATED 30TH SEPTEMBER 1678 WHICH IS APON\PAR \TAB PUBLICK RECORD AND THEIR INFETMENT FOLLOWING THEREAPON\PAR \TAB IS DATED THE 15 OF NOVEMBER 1680 AND PRODUCED WITH THE \PAR \TAB VOUCHERS OF MY EXCEPTIONS FOR ASCERTAINING MY RIGHT\PAR \TAB AND TITLE TO THE ESTATE OF SEAFORTH\PAR \PAR \TAB THE SAID \CF1 GEORGE MACKENZIE \CF2 AND OTHER PERSONS DENUDED\PAR \TAB THEMSELVES OF THE SAID LANDS AND ESTATE IN FAVOUR OF \CF1\PAR \TAB KENNETH MACKENZIE \CF2 BROTHER TO\CF1 SIR GEORGE MCKENZIE\PAR \TAB OF ROSEHAUGH \CF2 IN THE YEAR 1680\PAR \PAR \TAB AND THE SAID\CF1 KENNETH MCKENZIE \CF2 DISPONED THE SAME IN\PAR \TAB FAVOUR OF \CF1 ISOBELL COUNTESS OF SEAFORTH \CF2 IN THE YEAR\PAR \TAB 1681 WHO IN VIRTUE OF HER RIGHT POSSESSED THE SAID ESTATE\PAR \TAB AND PERTINENTS THEREOF UNTIL THE MONTH OF FEBRUARY\PAR \TAB 1715\PAR \PAR \TAB UPON THE DEMISE OF THE SAID \CF1 ISOBELL COUNTESS OF SEAFORTH\PAR \TAB\CF2 THE RIGHT OF THE SAID ESTATE DEVOLVED UPON

THE EXCIPIENT \PAR \TAB AS HEIR NEAREST
 PROTESTANT HEIR \cf1 WILLIAM LATE EARL
 OF \PAR \TAB SEAFORTH \cf2 THOUGH A
 NEARER HEIR BY BLOOD THAN THE
 EXIPIENT \PAR \TAB BEING EXCLUDED BY THE
 ACT 23RD NOVEMBER 1700 ENTITLED ACT \PAR
 \TAB FOR PREVENTING THE GROWTH OF
 POVERTY \PAR \PAR \TAB \cf1 THE FOURSCORE
 MERK LAND TROTTERNESS \cf2 LYING WITHIN
 THE \PAR \TAB PAROCHIAL OF \cf1 SNIZORT
 SKYE AND SHERIFDOM OF INVERNESS \PAR
 \TAB \cf2 AND WHICH BELONGED TO THE SAID
 \cf1 SIR DONALD MCDONALD \PAR \TAB LATE
 OF SLATE \cf2 NOW ATTAINED BY THE
 FORECITED ACT ARE PART AND \PAR \TAB
 PORTION OF THE FORESAID ESTATE OF
 SEAFORTH AND WERE HOLDEN \PAR \TAB BY
 THE SAID \cf1 SIR DONALD MCDONALD \cf2 OR
 HIS PREDECESSORS OF— \PAR \TAB \cf1 EARL
 OF SEAFORTH \cf2 AND THE RIGHT OF THE
 SUPERIORITY OF THE \PAR \TAB SAID LANDS IS
 NOW IN THE PERSON OF THE EXCIPIENT BY HIS
 TITLE \PAR \TAB ABOVE DEDUCED \PAR \PAR
 \TAB THE SAID EXCIPIENT AS HAVING THUS
 RIGHT TO THE SAID \cf1 FOUR \PAR \TAB SCORE
 MERKLANDS OF TROTTERNESS \cf2 LYING AS
 SAID IS DID IN \PAR \TAB PURSUANCE OF THE
 FORESAID ACT OF PARLIAMENT PRIMO \PAR
 \TAB GEORGII IN THE FIRST YEAR OF GEORGE
 ENTITLED ACT FOR \PAR \TAB ENCOURAGEING
 SUPERIORS VASSALS ETC DO DILIGENCE \PAR
 \TAB REALLY AND WITHOUT COLLUSION FOR
 ATTAINING THE POSSESSION \PAR \TAB OF THE
 SAID LANDS \PAR \PAR \TAB THEREFOR THE SAID
 EXCIPIENT AND HIS SAID CURATOR AS
 HAVING \PAR \TAB RIGHT AND TITLE TO THE SAID
 \cf1 FOURSCORE MERK \cf2 LAND IN
 MANNER \PAR \TAB AFORESAID AND BY VIRTUE
 OF THE ABOVE RECITED ACT OF THE \PAR \TAB
 FIRST OF HIS MAJESTYS REIGN ENTITLED ACT

FOR ENCOURAGING\PAR \TAB SUPERIORS
VASSALS ETC DOES PRESENT THE ABOVE
EXCEPTIONS HUMBLY\PAR \TAB PRAYING THAT
HIS RIGHT MAY BE DECLAIRED AND
ASCERTAINED\PAR \TAB TO THE SAID \CF1
FOURSCORE MERK LAND\CF2 WITH PARTS AND
PERTINENTS\PAR \TAB THEREOF AND THAT THE
RENTS PROFITS AND ISSUES THERETO\PAR \TAB
BELONGING AND PRESENTLY PAY OR THAT MAY
BE PAYABLE BY\PAR \TAB THE TENENTS
TACKSMEN OR POSSESSERS THEREOF SINCE
THE \PAR \TAB TERM PRECEEDING THE SAID
ATTAINER AND IN ALL TIME COMEING\PAR \TAB
MAY BE DECLARED TO PERTAIN AND BELONG TO
THE EXCIPIENT\PAR \TAB AND THAT THE
COMMISSIONERS AND TRUSTEES APPOINTED
FOR\PAR \TAB FORFEITED ESTATES MAY BE
DISCHARGED FROM DISQUIETING\PAR \TAB AND
MOLESTING THE EXCIPIENT IN THE PEACEABLE
POSSESSION\PAR \TAB THEREOF\PAR \PAR \TAB
SAVEING AND RESERVING TO THE SAID
EXCIPIENT ALL AND SUNDRY\PAR \TAB HIS
FURTHER ALLEGATIONS ANSWERS AND
REPLIES WHICH HE\PAR \TAB MAY HAVE OR
SHALL HEREAFTER MAKE USE OF IN ORDER TO
THE\PAR \TAB FURTHER CLEARING AND MAKING
GOOD HIS RIGHT IF NEED BE\PAR
\TAB\tab\tab\tab\tab\tab\tab\tab\CF1 KENNETH
MACKENZIE\PAR
\TAB\tab\tab\tab\tab\tab\tab\tab ALEX
MACKENZIE\PAR \PAR \TAB\tab\tab\tab\tab\CF2
EXAMINED 31 JULY 1719\PAR \PAR \TAB THE
LORDS HAVING HEARD THE WITHIN EXCEPTIONS
ORDAIN\PAR \TAB THE SAME TO BE INTIMATE TO
THE COMMISSIONERS OF ENQUIRY\PAR \TAB AT
THEIR OFFICE AND RECORDED IN THE PARLAR
REGISTER APPOINTED\PAR \TAB FOR THAT
EFFECT CONFORM TO THE ACT OF
SEDERUNT\PAR \PAR

\TAB\tab\tab\tab\tab\tab\tab\tab\CF1
W.ERCHNIES J.P.L.\CF2\PAR \PAR \TAB\PAR
\PAR \PARD\tab\CF0\F1 THOMAS FRASER OF
NEWTON * ISABEL MACKINTOSH\PAR
\TAB\tab\tab\tab\tab OF DRAKIES\PAR \PAR
\TAB CAPTAIN WILLIAM FRASER\tab\tab HUGH
FRASER MARGARET CHISHOLM\PAR \TAB OF NEWTON
SECOND SON\PAR \PAR \TAB\tab\tab\tab\tab
THOMAS FRASER OF NEWTON * KATHERINE\PAR
\TAB\tab\tab\tab\tab\tab\tab\tab\tab
MACKINTOSH\PAR \PAR \TAB\tab\tab\tab\tab
ALEXANDER FRASER OF NEWTON\PAR
\TAB\tab\tab\tab\tab B. 15.6.1807 HEIC
BENGAL \PAR \PAR \PAR \PAR \PAR \PAR \PAR
\PAR \PAR \PAR \TAB CAPTAIN WILLIAM FRASER OF
CULBOKIE\PAR \TAB 76TH REGIMENT DIED
31/8/1844\PAR \TAB INVERNESS SHERIFF
COURT\PAR \TAB SC29/44/6. SERVICE OF HEIR
1844\PAR \PAR \PARD\FI-
568\LI568\TX6532\tab\tab\CF2\F0\tab\tab\
PAR \TAB\tab\CF1\tab\CF2\PAR \PARD\FI-
568\LI568\PAR \CF1\PAR \TAB\CF2\PAR
\CF0\PAR }

26 BARONS OF EXCHEQUER

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\
\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0
GEORGIA;}\F1\FROMAN\FPRQ2\FCHARSET0 TIMES
NEW ROMAN;}}{\COLORTBL
;\RED255\GREEN0\BLUE0;\REDO\GREEN0\BLUE0;}
{*\GENERATOR MSFTEDIT

5.41.15.1503;}\VIEWKIND4\UC1\PARD\FI-568\LI568\TX710\F0\FS16\TAB\CF1\B\PAR \PAR \TAB CS238/T/3/16\PAR \PAR \TAB\CF2\B0 UNTO THE RIGHT HONOURABLE THE\CF1 LORD WESTHALL\CF2 THE REPRESENTATION\PAR \TAB OF \CF1 THOMAS FREDERICK MACKENZIE HUMBERSTON ESQ.\PAR \TAB\CF2 COLLONEL OF THE 78TH REGIMENT OF FOOT\PAR \PAR \TAB HUMBLY SHEWETH\PAR \PAR \TAB THAT THE ESTATE OF SEAFORTH WAS FORFEITED TO HIS MAJESTY\PAR \TAB IN 1715 UPON THE ATTAINDER OF \CF1 WILLIAM THEN EARL OF SEAFORTH\PAR \PAR \TAB\CF2 BY SEVERAL ACTS OF PARLIAMENT ANENT THE FORFEITED ESTATES AFTER \PAR \TAB THE YEAR 1715 AND PARTICULARLY BY THE ACT OF GEO. 1 CAP. [CAPITA IE CHAPTER]\PAR \TAB 50 AND THE ACT 4 GEO. 1 CAP. 8 - 5 GEO. 1 CAP. 22 THESE ESTATES WERE VESTED\PAR \TAB IN CERTAIN COMMISSIONERS WHO WERE EMPOWERED TO SELL THEM AND\PAR \TAB BY ANOTHER ACT 13. GEO. 1 CAP. 18 THE BARONS OF EXCHEQUER WERE\PAR \TAB EMPOWERED TO SELL SUCH OF THE FORFEITED ESTATES AS AT THAT TIME\PAR \TAB REMAINED UNSOLD\PAR \PAR \TAB BY THESE ACTS OF PARLIAMENT THE COMMISSIONERS OF ENQUIRY AND\PAR \TAB THE BARONS OF EXCHEQUER WERE EMPOWERED TO GRANT DISPOSITIONS\PAR \TAB CHARTERS AND OTHER RIGHTS TO THE PURCHASERS WHO WERE DECLARED\PAR \TAB TO HOLD THE SUBJECTS SO PURCHASED BLANCH OF HIS MAJESTY FOR \PAR \TAB PAYMENT OF A PENNY SCOTS NOTWITHSTANDING THE FORMER PROPRIETORS\PAR \TAB THE FORFEITING PERSONS HELD THEM FEE WARD OR OTHERWISE\PAR \PAR \TAB UNDER THE

AUTHORITY OF THESE STATUTES THE COMMISSIONERS\PAR \TAB OF ENQUIRY SOLD SEVERAL OF THE FORFEITED ESTATES BUT THE ESTATE\PAR \TAB OF SEAFORTH AND SOME OTHERS REMAINED UNSOLD WHEN BY THE 13TH\PAR \TAB OF GEO. 1 THE BARONS OF EXCHEQUER WERE SUBSTITUTED IN PLACE\PAR \TAB OF THE COMMISSIONERS OF ENQUIRY TO SELL SUCH OF THESE ESTATES AS HAD\PAR \TAB NOT BEEN SOLD BY THE COMMISSIONERS\PAR \PAR \TAB THE BARONS EXPOSED THE ESTATE OF SEAFORTH TO SALE AND IT WAS\PAR \TAB OF THIS DATE \cf1 31 JULY 1730 \cf2 PURCHASED BY \cf1 MR JOHN NAIRNE OF GREENYARDS\PAR \TAB\cf2 WHO RECEIVED A DISPOSITION \cf1 12 FEBRUARY 1734 \cf2 AND AFTERWARDS OF THIS DATE\PAR \TAB A CHARTER OF THE WHOLE ESTATE OF SEAFORTH INCLUDING THE ISLAND\PAR \TAB OF LEWIS WHICH CHARTER AFTER DESCRIBING THE DIFFERENT LANDS CONTAINS\PAR \TAB THE FOLLOWING CLAUSE "\cf1 UNA CUM OMNIBUS DOMIBUS AEDIFICIIS & PARTIBUS\PAR \TAB PENDICULIS ET PERTINEN [TIIS] EARUNDEM QUIBUSCUNG [UE] DECIMIS\PAR \TAB PARSONAGIIS ET VICCARIIS EARUND [EM] \cf2 " [TOGETHER WITH ALL HOUSES BUILDINGS\PAR \TAB AND DEPENDENT PARTS AND APPURTENANCES OF THE SAME WHATSOEVER\PAR \TAB THE TITHES PARSONAGES AND VICARAGES OF THE SAME] ".\PAR \PAR \TAB\cf1 18TH NOVEMBER 1734 \TAB MR NAIRN \cf2 DISPONED THIS ESTATE TO \cf1 JOHN FORBES ESQ.\PAR \TAB 16TH DECEMBER 1738 \TAB MR JOHN FORBES \cf2 CONVEYED IT TO \cf1 COLIN MACKENZIE\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB\cf2 BY A DISPOSITION OF THIS DATE..... LINE NOT COPIED.\PAR \TAB\PAR \TAB\PAR \TAB\cf1 07TH APRIL 1739 \TAB\cf2 THE FORESAID

CHARTER AND DISPOSITIONS OF THIS DATE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF1 COLIN
MACKENZIE \CF2 DISPONED THE ESTATE TO
\CF1 KENNETH\PAR \TAB 02ND FEBRUARY
1741\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB
MACKENZIE \CF2 ELDEST LAWFULL SON OF
\CF1 WILLIAM EARL OF\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB SEAFORTH
\CF2 BY A DISPOSITION OF THIS DATE\PAR
\TAB\CF1\PAR \PAR \TAB 12TH FEBRUARY
1741\CF2 \TAB WHO OBTAINED A CHARTER OF
RESIGNATION AND \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB
CONFIRMATION UNDER THE GREAT SEAL OF THE
WHOLE \PAR \TAB 25TH MARCH 1741\TAB
FORESAID LANDS UPON WHICH INFETMENT
FOLLOWED \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR \PAR
\TAB\CF1 10TH DECEMBER 1738 \CF2 AND OF
THIS DATE \CF1 KENNETH MACKENZIE \CF2
AFTERWARDS\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF1 EARL OF
SEAFORTH \CF2 OBTAINED A CHARTER UNDER
THE\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB\TAB
GREAT SEAL IN HIS FAVOURS UPON WHICH
INFETMENT\PAR \TAB\CF1 04TH JULY\TAB
1764 \CF2\TAB AFTERWARDS FOLLOWED \TAB
\TAB\TAB\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR
\TAB\PAR \TAB IN ALL OF THESE TITLES WHICH
ARE PRODUCED THE TEINDS PARSONAGES AND
VICARAGE\PAR \TAB ARE EXPRESSLY GRANTED
AND THE PRPRIETORS UNDER THESE TITLES
HAVE CONSTANTLY\PAR \TAB AND UNIFORMLY
POSSESSED BOTH LANDS AND TEINDS WITHOUT
PAYING TO THE CROWN\PAR \TAB OR ANY
PERSON ELSE ANYTHING UPON ACCOUNT OF
THE ACCOUNT OF THE TEINDS FATHER\PAR
\TAB THAN THE STIPEND DUE TO THE MINISTERS

OF THE RESPECTIVE PARISHES IN WHICH THE
 \PAR \TAB LANDS LIE\PAR \PAR \PAR \TAB THE
 LATE \cf1 EARL OF SEAFORTH \cf2 SOLD THE
 WHOLE ESTATE OF SEAFORTH AND\PAR \TAB AS
 A PART THEREOF THE ISLAND OF LEWIS TO THE
 REPRESENTER WHO\PAR \TAB IS NOW IN THE
 FULL RIGHT AND POSSESSION OF THAT ESTSATE
 UNDER THE\PAR \TAB TITLES ABOVE
 MENTIONED\PAR \PAR \TAB THE SOLICITOR OF
 THE TYTHES HAS LATELY BROUGHT AN ACTION
 AGAINST\PAR \TAB THE REPRESENTER THE
 SUMMONS OF WHICH BEARS DATE 20TH
 DECEMBER LAST\PAR \TAB CONCLUDING FOR
 PAYMENT OF THE SUM OF \ 'A3133.3.7. STERLING
 AS THE VALUE\PAR \TAB OF THE BISHOPS THIRD
 OF THE TITHES OF THE ISLAND OF LEWIS
 FOR\PAR \TAB CROP 1781 AND THE LIKE SUM
 YEARLY IN TIME COMING\PAR \PAR \TAB THIS
 PROCESS CAME IN COARSE BEFORE YOUR
 LORDSHIPS AND AFTER HEARING\PAR \TAB
 PARTIES YOU PRONOUNCED THIS INTERLOCTOR
 \cf1 27TH JUNE 1782\PAR \TAB\cf2 THE LORD
 ORDINARY HAVING HEARD PARTIES
 PROCURATORS DECERNS\PAR \TAB AGAINST
 THE DEFENDER IN TERMS OF THE LIBEL\PAR
 \TAB SHOULD THIS INTERLOCTOR BE ADHERED
 TO IT WOULD BRING A VERY\PAR \TAB HEAVY
 AND UNEXPECTED BURDEN UPON THE
 REPRESENTERS ESTATE\PAR \TAB HE
 THEREFOR SUBMITS IT TO REVIEW AND IS
 CONFIDENT WHEN YOUR\PAR \TAB LORDSHIPS
 SHALL HABE RECONSIDERED THE CAUSE YOU
 WILL SEE JUST\PAR \TAB REASON FOR
 ALTERING THE INTERLOCTOR AND
 ASSORTZIEING\PAR \TAB THE REPRESENTER
 WHEN THE ESTATE OF SEAFORTH WAS
 SOLD.\PAR \PARD\FI-568\LI568\RI-
 479\TX710\TX9514\TX9656\TX9798\TX9940\TA
 B\PAR \PARD\LI568\TAB\cf0\F1\fs20 SASINE
 IN FAVOUR OF ELIZABETH BAILLIE\PAR IN

LIFERENT AND MRS KATHERINE
SUTHERLAND\PAR AND WIFE\PAR \PAR \TAB AT
INVERNESS THE 23 DAY OF DECEMBER ONE
THOUSANT\PAR \TAB EIGHT HUNDRED AND
THREE BETWEEN THE HOURS OF TWO\PAR \TAB
AND THREE O CLOCK IN THE AFTER NOON THE
SASINE\PAR \TAB UNDER WRITTEN WAS
PRESENTED BY DAVID PHERSON\PAR \TAB
WRITEN IN INVERNESS AND RECORDED AS
FOLLOWS VIZ...\PAR \PAR \PAR \TAB IN THE
SASINE OF GOD AMEN BE IT KNOWN TO ALL
MEN\PAR \TAB BY THIS PRESENT PUBLIC
INSTRUMENT THAT UPON THE \PAR \TAB
TWENTIETH DAY OF DECEMBER IN THE YEAR OF
OUR LORD\PAR \TAB EIGHTEEN HUNDRED AND
THREE AND OF THE REIGN OF \PAR \TAB OUR
SOVEREIGN LORD GEORGE THIRD BY THE
GRACE\PAR \TAB OF GOD OF THE UNITED
KINGDOM OF GREAT BRITAIN AND\PAR \TAB
IRELAND KING DEFENDER OF THE FAITH THE
FORTY FOURTH YEAR \PAR \TAB IN PRESENCE
OF ME NOTARY PUBLIC AND WITNESS\PAR \TAB
SUBSCRIBING COMPEARED PERSONALLY
KENNETH MACLENNAN\PAR \TAB SERVANT TO
ME NOTARY PUBLIC AS PROCURATOR AND \PAR
\TAB ATTORNEY FOR AND IN NAME AND BEHALF
OF MRS ELIZABETH\PAR \TAB BAILLIE WIDOW
OF THE DECEASED LIEUTENANT AND
COLONEL\PAR \TAB JAMES SUTHERLAND OF
UPPAT MRS KATHERINE SUTHERLAND\PAR \TAB
SPOUSE TO COLONEL ROBERT MACKENZIE
DAUGHTER OF THE\PAR \TAB SAID LIEUTENANT
COLONEL JAMES SUTHERLAND——\PAR \TAB
LORD SEAFORTH MARY MAXWELL SUTHERLAND
SPOUSE TO\PAR \TAB LIEUTENANT ALEXANDER
SUTHERLAND FORMERLY OF THE\PAR \TAB
SECOND BATTALION OF THE SEVENTY EIGHTH
REGIMENT OF FOOT\PAR \TAB ALSO DAUGHTER
OF THE SAID LIEUTENANT ALEXANDER \PAR

\TAB SUTHERLAND FORMERLY OF THE SECOND
BATTALION OF THE\PAR \TAB SEVENTY EIGHTH
REGIMENT OF FOOT ALSO DAUGHTER OF
THE\PAR \TAB SAID LIEUTENANT COLONEL
JAMES SUTHERLAND AND\PAR \TAB GEORGE
SACKVILLE SUTHERLAND ESQUIRE LATE OF
UPPAT\PAR \TAB ELDEST SON OF THE SAID
LIEUTENANT COLONEL JAMES\PAR \TAB
SUTHERLAND WHOSE POWER OF
PROCURATORY WAS\PAR \TAB SUFFICIENT
KNOWN TO ME NOTARY PUBLIC\PAR \TAB
SUBSCRIBING HAVING AND HOLDING IN HIS
HANDS A \PAR \TAB BOND AND DISPOSITION IN
SECURITY OF THE DATE\PAR \TAB
UNDERWRITTEN CONTAINING THEREIN THE
PRECEPT\PAR \TAB OF SASINE HEREIN AFTER
INSERTED MADE AND GRANTED\PAR \TAB BY
BRIGADIER GENERAL NOW MAJOR
GENERAL\PAR \TAB ALEXANDER MACKENZIE
LIEUTENANT COLONEL OF THE\PAR \TAB 36TH
REGIMENT OF FOOT WHEREBY HE BOUND AND
\PAR \TAB OBLIGED HIMSELF HIS HEIRS
EXECUTORS AND SUCCESSORS\PAR \TAB
WHOMSOEVER THAT IS FULLY TO CONTEND AND
PAY THE\PAR \TAB SUM OF ONE THOUSANT
POUNDS STERLING TO THE SAID\PAR \TAB MRS
ELIZABETH BAILLIE IN LIFERENT AND FOR
HER\PAR \TAB LIFERENT USE OF THE INTEREST
THEREOF ALTERNATIVELY\PAR \TAB AND GIVE
ALL THE FEE ONE HALF OF THE SAID SUM
BEING\PAR \TAB FIVEHUNDRED POUNDS
STERLING TO THE AFORESAID \PAR \TAB MRS
KATHARINE SUTHERLAND AND TO HER
HEIRS\PAR \TAB AND ASSIGNIES BUT SUBJECT
TO THE DECLARATIONS\PAR \TAB AND
QUALIFICATIONS THEREIN AND HEREIN
AFTER\PAR \TAB MENTIONED AND THE OTHER
OR REMAINING HALF\PAR \TAB BEING AN OTHER
FIVE HUNDRED POUNDS FINDING OF THE\PAR
\TAB SAID PRINCIPAL SUM TO THE SAID FRANCIS

LORD SEAFORTH\PAR \TAB AND TO HIS HEIRS
AND ASSIGNEES BUT IN SECURITY\PAR \TAB
ONLY AFTER MENTIONED AND SUBJECT TO THE
DECLARATIONS\PAR \TAB AND QUALIFICATIONS
THEREIN AND HEREIN AFTER\PAR \TAB
MENTIONED AND THAT AS AND AGAINST THE
TERM\PAR \TAB OF WHITSUNDAY NEXT TO COME
WITH ONE FIFTH\PAR \TAB PART NOW OF THE
SAID PRINCIPAL SUM OF LIQUIDATE\PAR \TAB
PENALTY IN CASE OF FAILURE IN THE \PAR \TAB
PAYMENT OF THE SAID LAND AND INTEREST
THEREOF\PAR \TAB IN THE CASE OF THE SAID
BOND AND DISPOSE NOW\PAR \TAB IN SECURITY
TO THE SAID TERM OF PAYMENT AND
THERE\PAR \TAB AFTER AT TWO TERMS IN THE
YEAR WHITESUNDAY\PAR \TAB AND-----
- BY EQUAL PORTIONS BEGINNING\PAR \TAB THE
FIRST TERMS PAYMENT THEREOF AT
WHITSUNDAY\PAR \TAB NEXT FOR WHAT
INTEREST MIGHT BE THEIR DUE AND\PAR \TAB
SEVERELY AND HALF YEARLY BY
THEREAFTER\PAR \TAB AT THE SAID TWO
TERMS SO LONG AS THE ----- SHALL\PAR \TAB ---
----- UNPAID DECLARING ALWAYS THAT THE
RIGHT OF\PAR \TAB THE SAID FRANCIS LORD
SEAFORTH WAS ONLY IN SECURITY OF\PAR \TAB
A DEBT DUE TO HIM BY THE SAID LIEUTENANT
ALEXANDER\PAR \TAB SUTHERLAND HUSBAND
OF THE SAID MARY MAXWELL \PAR \TAB
SUTHERLAND IN TERMS OF THEIR \cf1 BOND
DISPOSITION\PAR \TAB\cf2 AND -----
- TO HIS LORDSHIP CONVEYING\PAR \TAB THE
SAID MARY MAXWELL SUTHERLAND INTEREST
IN THE\PAR \TAB SUM CONTAINED IN AN
HERITABLE BOND GRANTED BY MAJOR\PAR
\TAB GENERAL MACKAY HUGH BAILLIE OF
ROSEHALL AND THAT\PAR \TAB UPON THE SAID
DEBT BY LIEUTENANT ALEXANDER
SUTHERLAND\PAR \TAB TO THE SAID FRANCIS

LORD SEAFORTH BEING PAID OR
 OTHERWISE \PAR \TAB EXTINGQUISHED HIS
 LORDSHIPS INTEREST UNDER THE SAID \PAR
 \TAB SECURITY SHOULD CEASE AND BE AT AN
 END AND THE \PAR \TAB PROVISIONS OF THE
 SAID MARY MAXWELL SUTHERLAND \PAR \TAB
 OR THAT HALF OF THE SUM CONTAINED IN THE
 SAID \PAR \TAB BOND ARISING WITH THE
 INTEREST AFTER THE DEATH \PAR \TAB OF THE
 SAID MRS ELIZABETH BAILLIE HER MOTHER \PAR
 \TAB AND PENALTY CORRESPONDING THERETO
 SHOULD \PAR \TAB BECAUSE PAYABLE TO
 HERESelf AND HEIRS AND \PAR \TAB
 EXECUTIONERS BUT FURTHER PROVIDING AS
 IF \PAR \TAB WAS THEIR BY SPECIALY PROVIDED
 AND DECLARED \PAR \TAB THAT IN THE EVENT
 OF THE AFORESAID KATHARINE \PAR \TAB AND
 MARY MAXWELL SUTHERLAND OR EITHER \PAR
 \TAB OF THEM DYING BEFORE THE SAID MRS
 ELIZABETH \PAR \TAB BAILLIE THEIR MOTHER
 THEIR BIND AND IN THAT CASE \PAR \TAB THEIR--
 ----- AND PROVISIONS AS THOSE
 AFORESAID \PAR \TAB INRESPECTIVE SUMS OF
 FIVE HUNDRED POUNDS EACH \PAR \TAB
 THEREFROM CONTAINED IN THE SAID BOND AND
 DISPOSITION \PAR \TAB IN SECURITY WITH
 INTEREST AND PENALTY CORRESPONDING \PAR
 \TAB THERETO SHALL RESPECTIVELY BELONG
 TO THE PERSON \PAR \TAB AFORESAID TO WHOM
 THE SASINE WHICH IN THE \PAR \TAB EVENTS
 MENTIONED AND DEED OF SETTLEMENT BY THE
 SAID \PAR \TAB LIEUTENANT COLONEL
 SUTHERLAND NARRATED IN THE \PAR \TAB SAID
 BOND AND DISPOSITION IN SECURITY HAVE
 BELONGED \PAR \TAB IF THEY HAVE TILL
 RECEIVED UPENALTY FORMER SECURITY \PAR
 \TAB AND IN CASE IF SHOULD BE FOUND THAT
 BY THE TRUE \PAR \TAB CONSTRUCTION OF THE
 SAID DEED OF SETTLEMENT THE \PAR \TAB
 PROVISION THEREBY LEFT TO THE SAID MARY

MAXWELL \PAR \TAB SUTHERLAND IN THE
EVENT OF HEIRS DYING BEFORE \PAR \TAB HER
MOTHER WOULD BE EVACUATED SO THAT THE
SAME \PAR \TAB WOULD FALL INTO HER
BROTHER THE SAID GEORGE \PAR \TAB
SACKVILLE SUTHERLAND IN THAT CASE AND IN
THE \PAR \TAB SAME EVENTS THE RIGHT OF THE
SAID FRANCIS \PAR \TAB LORD SEAFORTH
THOUGH BY THE TENOR OF THE SAID \PAR \TAB
BOND AND DISPONE NOW IN SECURITY HIS
LORDSHIP \PAR \TAB WAS MADE DIRECT
CREDITOR SHOULD CEASE AND BECOME \PAR
\TAB VOID AND THE FIVEHUNDRED POUNDS
MADE PAYABLE TO \PAR \TAB HIS LORDSHIP
WITH THE INTEREST THEREOF FROM \PAR \TAB
THE DEATH OF THE LIFERENTING SHOULD
BECOME PAYABLE \PAR \TAB TO THE SAID
GEORGE LACKWELL SUTHERLAND BUT
OTHERWAYS \PAR \TAB THE RIGHT TO THE SAID
FIVEHUNDRED POUNDS SHOULD REMAIN \PAR
\TAB WITH HIS LORDSHIP IN THE SAID EVENT AS
WELL AS IN ANY \PAR \TAB OTHER IN SECURITY
OF THE SAID DEBT DUE TO HIM \PAR \TAB AND
FOR THE FURTHER SECURITY AND MORE SURE
PAYMENT \PAR \TAB OF THE SAID SUMS
PRINCIPAL INTEREST AND PENALTY \PAR \TAB
THE SAID \cf1 ALEXANDER MACKENZIE \cf2
DID DISPONE ASSIGN AND \PAR \TAB MAKE OVER
TO THE AFORESAID \cf1 MRS ELIZABETH
BAILLIE \cf2 \PAR \TAB IN LIFERENT AND \cf1
MRS KATHARINE SUTHERLAND \cf2
AND \cf1 \PAR \TAB FRANCIS LORD SEAFORTH
\cf2 THEIR HEIRS AND SUCCESSORS \PAR \TAB
FOR THEIR RESPECTIVE INTERESTS INFEE AS
AFORESAID \PAR \TAB BUT ALWAYS WITH AND
UNDER THIS CONDITION PROVISION \PAR \TAB
AND DECLARATIONS BEFORE SPECIFIED AND IN
THE EVENT \PAR \TAB FORESAID TO THE SAID
\cf1 MARY MAXWELL SUTHERLAND \cf2

AND\PAR \TAB GEORGE SACKVILLE
 SUTHERLAND FOR THEIR RESPECTIVE\PAR \TAB
 INTERESTS AND TO THEIR HEIRS AND
 SUCCESSORS RESPECTIVE\PAR \TAB BY
 HERITABLY BUT UNDER REVERSION AS THEREIN
 MENTIONED\PAR \TAB ALL AND WHOLE THE
 LANDS OF \cf1 MANAV \cf2 WITH THE
 HOUSES\PAR \TAB GARDEN ORCHARDS
 SHEILDING PARTS AND PENDICLES AND\PAR
 \TAB UNIVERSAL PERTINENTS OF THE SAME ALL
 LYING WITHIN THE \PAR \TAB PARISH OF URRAY
 AND COUNTY OF ROSS AND ALL AND\PAR \TAB
 WHOLE THE LANDS AND ESTATE AND COUNTY
 OF STRATHCONNON\PAR \TAB
 COMPREHENDING THE PARTICULAR TOWNS
 AND TENEMENTS\PAR \TAB SPECIFIED IN THE
 RIGHTS AND INFETMENTS THEREOF
 CONCEIVED\PAR \TAB IN FAVOUR OF THE SAID
 \cf1 ALEXANDER MACKENZIE\cf2 HIS
 PREDECESSORS\PAR \TAB AND ALL HEIRS AND
 BY WHATSOEVER DENOMINATION THEY GO\PAR
 \TAB AND ARE DESCRIBED THEIR WILL WHICH IN
 WHOLE EXTEND\PAR \TAB TO TWO DAVOCHS
 AND IN HALF DAVOCH LAND WITH THE
 WOOD\PAR \TAB GRAZING SHEALING MOSSES
 PASTURAGES PARTS PENDICLES\PAR \TAB AND
 PERTINENTS KNOWN TO PERTAIN AND BELONG
 THERETO\PAR \TAB AND WHICH LANDS IN THE
 RESPECTIVE PARISHES OF \cf1 URRAY\PAR
 \TAB FODDERTY AND CONTIN \cf2 IN THE
 SHERIFFDOM OF ROSS TOGETHER\PAR \TAB
 WITH ALL RIGHT AND INTEREST CLAIM OF RIGHT
 PROPERLY\PAR \TAB AND POSSESSION WHICH
 THE SAID \cf1 ALEXANDER
 MACKENZIE\cf2\PAR \TAB HIS AUTHORS AND
 PREDECESSORS HAD OR ANY WAYS RIGHTS\PAR
 \TAB HAVE CLAIM OR PRETEND TO THE SAID
 LANDS AND OTHERS\PAR \TAB OR TO ANY PART
 APPORTION THEREOF AND THEIR REAL
 SECURITY \PAR \TAB

\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\PAR
\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB
\TAB\PAR \PAR
\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB
\TAB\tAB\tAB\tAB\PAR
\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB\CF0\tAB
\TAB\PAR \PARD\FI-
568\LI568\TX710\CF2\F0\FS16\tAB\CF0\PAR }

27 LIEUTENANT A. SUTHERLAND

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\
\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0
GEORGIA;}}{\COLORTBL
;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;}
*\GENERATOR MSFTEDIT
5.41.15.1503;}\VIEWKIND4\UC1\PARD\LI568\F0\
FS16\tAB SASINE IN FAVOUR OF ELIZABETH
BAILLIE\PAR \TAB IN LIFERENT AND MRS
KATHERINE SUTHERLAND\PAR \TAB AND
WIFE\PAR \PAR \TAB AT INVERNESS THE 23 DAY
OF DECEMBER ONE THOUSANT\PAR \TAB EIGHT
HUNDRED AND THREE BETWEEN THE HOURS OF
TWO\PAR \TAB AND THREE O CLOCK IN THE
AFTER NOON THE SASINE\PAR \TAB UNDER
WRITTEN WAS PRESENTED BY DAVID
PHERSON\PAR \TAB WRITEN IN INVERNESS AND
RECORDED AS FOLLOWS VIZ...\PAR \PAR \PAR
\TAB IN THE SASINE OF GOD AMEN BE IT KNOWN
TO ALL MEN\PAR \TAB BY THIS PRESENT PUBLIC
INSTRUMENT THAT UPON THE \PAR \TAB
TWENTIETH DAY OF DECEMBER IN THE YEAROF
OUR LORD\PAR \TAB EIGHTEEN HUNDRED AND
THREE AND OF THE REIGN OF \PAR \TAB OUR
SOVEREIGN LORD GEORGE THIRD BY THE
GRACE\PAR \TAB OF GOD OF THE UNITED
KINGDOM OF GREAT BRITAIN AND\PAR \TAB

IRELAND KING DEFENDER OF THE FAITH THE
FORTY FOURTH YEAR \PAR \TAB IN PRESENCE
OF ME NOTARY PUBLIC AND WITNESS\PAR \TAB
SUBSCRIBING COMPEARED PERSONALLY
KENNETH MACLENNAN\PAR \TAB SERVANT TO
ME NOTARY PUBLIC AS PROCURATOR AND \PAR
\TAB ATTORNEY FOR AND IN NAME AND BEHALF
OF MRS ELIZABETH\PAR \TAB BAILLIE WIDOW
OF THE DECEASED LIEUTENANT AND
COLONEL\PAR \TAB JAMES SUTHERLAND OF
UPPAT MRS KATHERINE SUTHERLAND\PAR \TAB
SPOUSE TO COLONEL ROBERT MACKENZIE
DAUGHTER OF THE\PAR \TAB SAID LIEUTENANT
COLONEL JAMES SUTHERLAND-----\PAR \TAB
LORD SEAFORTH MARY MAXWELL SUTHERLAND
SPOUSE TO\PAR \TAB LIEUTENANT ALEXANDER
SUTHERLAND FORMERLY OF THE\PAR \TAB
SECOND BATTALION OF THE SEVENTY EIGHTH
REGIMENT OF FOOT\PAR \TAB ALSO DAUGHTER
OF THE SAID LIEUTENANT ALEXANDER \PAR
\TAB SUTHERLAND FORMERLY OF THE SECOND
BATTALION OF THE\PAR \TAB SEVENTY EIGHTH
REGIMENT OF FOOT ALSO DAUGHTER OF
THE\PAR \TAB SAID LIEUTENANT COLONEL
JAMES SUTHERLAND AND\PAR \TAB GEORGE
SACKVILLE SUTHERLAND ESQUIRE LATE OF
UPPAT\PAR \TAB ELDEST SON OF THE SAID
LIEUTENANT COLONEL JAMES\PAR \TAB
SUTHERLAND WHOSE POWER OF
PROCURATORY WAS\PAR \TAB SUFFICIENT
KNOWN TO ME NOTARY PUBLIC\PAR \TAB
SUBSCRIBING HAVING AND HOLDING IN HIS
HANDS A \PAR \TAB BOND AND DISPOSITION IN
SECURITY OF THE DATE\PAR \TAB
UNDERWRITTEN CONTAINING THEREIN THE
PRECEPT\PAR \TAB OF SASINE HEREIN AFTER
INSERTED MADE AND GRANTED\PAR \TAB BY
BRIGADIER GENERAL NOW MAJOR
GENERAL\PAR \TAB ALEXANDER MACKENZIE
LIEUTENANT COLONEL OF THE\PAR \TAB 36TH

REGIMENT OF FOOT WHEREBY HE BOUND AND
\PAR \TAB OBLIGED HIMSELF HIS HEIRS
EXECUTORS AND SUCCESSORS\PAR \TAB
WHOMSOEVER THAT IS FULLY TO CONTEND AND
PAY THE\PAR \TAB SUM OF ONE THOUSANT
POUNDS STERLING TO THE SAID\PAR \TAB MRS
ELIZABETH BAILLIE IN LIFERENT AND FOR
HER\PAR \TAB LIFERENT USE OF THE INTEREST
THEREOF ALTERNATIVELY\PAR \TAB AND GIVE
ALL THE FEE ONE HALF OF THE SAID SUM
BEING\PAR \TAB FIVEHUNDRED POUNDS
STERLING TO THE AFORESAID \PAR \TAB MRS
KATHARINE SUTHERLAND AND TO HER
HEIRS\PAR \TAB AND ASSIGNIES BUT SUBJECT
TO THE DECLARATIONS\PAR \TAB AND
QUALIFICATIONS THEREIN AND HEREIN
AFTER\PAR \TAB MENTIONED AND THE OTHER
OR REMAINING HALF\PAR \TAB BEING AN OTHER
FIVE HUNDRED POUNDS FINDING OF THE\PAR
\TAB SAID PRINCIPAL SUM TO THE SAID FRANCIS
LORD SEAFORTH\PAR \TAB AND TO HIS HEIRS
AND ASSIGNEES BUT IN SECURITY\PAR \TAB
ONLY AFTER MENTIONED AND SUBJECT TO THE
DECLARATIONS\PAR \TAB AND QUALIFICATIONS
THEREIN AND HEREIN AFTER\PAR \TAB
MENTIONED AND THAT AS AND AGAINST THE
TERM\PAR \TAB OF WHITSUNDAY NEXT TO COME
WITH ONE FIFTH\PAR \TAB PART NOW OF THE
SAID PRINCIPAL SUM OF LIQUIDATE\PAR \TAB
PENALTY IN CASE OF FAILURE IN THE \PAR \TAB
PAYMENT OF THE SAID LAND AND INTEREST
THEREOF\PAR \TAB IN THE CASE OF THE SAID
BOND AND DISPOSE NOW\PAR \TAB IN SECURITY
TO THE SAID TERM OF PAYMENT AND
THERE\PAR \TAB AFTER AT TWO TERMS IN THE
YEAR WHITESUNDAY\PAR \TAB AND-----
- BY EQUAL PORTIONS BEGINNING\PAR \TAB THE
FIRST TERMS PAYMENT THEREOF AT
WHITSUNDAY\PAR \TAB NEXT FOR WHAT

INTEREST MIGHT BE THEIR DUE AND\PAR \TAB
 SEVERELY AND HALF YEARLY BY
 THEREAFTER\PAR \TAB AT THE SAID TWO
 TERMS SO LONG AS THE ----- SHALL\PAR \TAB ---
 ----- UNPAID DECLARING ALWAYS THAT THE
 RIGHT OF\PAR \TAB THE SAID FRANCIS LORD
 SEAFORTH WAS ONLY IN SECURITY OF\PAR \TAB
 A DEBT DUE TO HIM BY THE SAID LIEUTENANT
 ALEXANDER\PAR \TAB SUTHERLAND HUSBAND
 OF THE SAID MARY MAXWELL \PAR \TAB
 SUTHERLAND IN TERMS OF THEIR \cf 1 BOND
 DISPOSITION\PAR \TAB\cf2 AND -----
 - TO HIS LORDSHIP CONVEYING\PAR \TAB THE
 SAID MARY MAXWELL SUTHERLAND INTEREST
 IN THE\PAR \TAB SUM CONTAINED IN AN
 HERITABLE BOND GRANTED BY MAJOR\PAR
 \TAB GENERAL MACKAY HUGH BAILLIE OF
 ROSEHALL AND THAT\PAR \TAB UPON THE SAID
 DEBT BY LIEUTENANT ALEXANDER
 SUTHERLAND\PAR \TAB TO THE SAID FRANCIS
 LORD SEAFORTH BEING PAID OR
 OTHERWISE\PAR \TAB EXTINGQUISHED HIS
 LORDSHIPS INTEREST UNDER THE SAID\PAR
 \TAB SECURITY SHOULD CEASE AND BE AT AN
 END AND THE\PAR \TAB PROVISIONS OF THE
 SAID MARY MAXWELL SUTHERLAND\PAR \TAB
 OR THAT HALF OF THE SUM CONTAINED IN THE
 SAID \PAR \TAB BOND ARISING WITH THE
 INTEREST AFTER THE DEATH\PAR \TAB OF THE
 SAID MRS ELIZABETH BAILLIE HER MOTHER\PAR
 \TAB AND PENALTY CORRESPONDING THERETO
 SHOULD\PAR \TAB BECAUSE PAYABLE TO
 HERESELF AND HEIRS AND\PAR \TAB
 EXECUTIONERS BUT FURTHER PROVIDING AS
 IF\PAR \TAB WAS THEIR BY SPECIALY PROVIDED
 AND DECLARED\PAR \TAB THAT IN THE EVENT
 OF THE AFORESAID KATHARINE\PAR \TAB AND
 MARY MAXWELL SUTHERLAND OR EITHER\PAR
 \TAB OF THEM DYING BEFORE THE SAID MRS
 ELIZABETH\PAR \TAB BAILLIE THEIR MOTHER

THEIR BIND AND IN THAT CASE \PAR \TAB THEIR--
----- AND PROVISIONS AS THOSE
AFORESAID \PAR \TAB INRESPECTIVE SUMS OF
FIVE HUNDRED POUNDS EACH \PAR \TAB
THEREFROM CONTAINED IN THE SAID BOND AND
DISPOSITION \PAR \TAB IN SECURITY WITH
INTEREST AND PENALTY CORRESPONDING \PAR
\TAB THERETO SHALL RESPECTIVELY BELONG
TO THE PERSON \PAR \TAB AFORESAID TO WHOM
THE SASINE WHICH IN THE \PAR \TAB EVENTS
MENTIONED AND DEED OF SETTLEMENT BY THE
SAID \PAR \TAB LIEUTENANT COLONEL
SUTHERLAND NARRATED IN THE \PAR \TAB SAID
BOND AND DISPOSITION IN SECURITY HAVE
BELONGED \PAR \TAB IF THEY HAVE TILL
RECEIVED UPENALTY FORMER SECURITY \PAR
\TAB AND IN CASE IF SHOULD BE FOUND THAT
BY THE TRUE \PAR \TAB CONSTRUCTION OF THE
SAID DEED OF SETTLEMENT THE \PAR \TAB
PROVISION THEREBY LEFT TO THE SAID MARY
MAXWELL \PAR \TAB SUTHERLAND IN THE
EVENT OF HEIRS DYING BEFORE \PAR \TAB HER
MOTHER WOULD BE EVACUATED SO THAT THE
SAME \PAR \TAB WOULD FALL INTO HER
BROTHER THE SAID GEORGE \PAR \TAB
SACKVILLE SUTHERLAND IN THAT CASE AND IN
THE \PAR \TAB SAME EVENTS THE RIGHT OF THE
SAID FRANCIS \PAR \TAB LORD SEAFORTH
THOUGH BY THE TENOR OF THE SAID \PAR \TAB
BOND AND DISPONE NOW IN SECURITY HIS
LORDSHIP \PAR \TAB WAS MADE DIRECT
CREDITOR SHOULD CEASE AND BECOME \PAR
\TAB VOID AND THE FIVEHUNDRED POUNDS
MADE PAYABLE TO \PAR \TAB HIS LORDSHIP
WITH THE INTEREST THEREOF FROM \PAR \TAB
THE DEATH OF THE LIFERENTING SHOULD
BECOME PAYABLE \PAR \TAB TO THE SAID
GEORGE LACKWELL SUTHERLAND BUT
OTHERWAYS \PAR \TAB THE RIGHT TO THE SAID

FIVEHUNDRED POUNDS SHOULD REMAIN\PAR
 \TAB WITH HIS LORDSHIP IN THE SAID EVENT AS
 WELL AS IN ANY\PAR \TAB OTHER IN SECURITY
 OF THE SAID DEBT DUE TO HIM\PAR \TAB AND
 FOR THE FURTHER SECURITY AND MORE SURE
 PAYMENT\PAR \TAB OF THE SAID SUMS
 PRINCIPAL INTEREST AND PENALTY\PAR \TAB
 THE SAID \cf1 ALEXANDER MACKENZIE \cf2
 DID DISPONE ASSIGN AND\PAR \TAB MAKE OVER
 TO THE AFORESAID \cf1 MRS ELIZABETH
 BAILLIE\cf2 \PAR \TAB IN LIFERENT AND \cf1
 MRS KATHARINE SUTHERLAND \cf2
 AND\cf1\PAR \TAB FRANCIS LORD SEAFORTH
 \cf2 THEIR HEIRS AND SUCCESSORS\PAR \TAB
 FOR THEIR RESPECTIVE INTERESTS INFEE AS
 AFORESAID\PAR \TAB BUT ALWAYS WITH AND
 UNDER THIS CONDITION PROVISION\PAR \TAB
 AND DECLARATIONS BEFORE SPECIFIED AND IN
 THE EVENT\PAR \TAB FORESAID TO THE SAID
 \cf1 MARY MAXWELL SUTHERLAND\cf2
 AND\PAR \TAB GEORGE SACKVILLE
 SUTHERLAND FOR THEIR RESPECTIVE\PAR \TAB
 INTERESTS AND TO THEIR HEIRS AND
 SUCCESSORS RESPECTIVE\PAR \TAB BY
 HERITABLY BUT UNDER REVERSION AS THEREIN
 MENTIONED\PAR \TAB ALL AND WHOLE THE
 LANDS OF \cf1 MANAV \cf2 WITH THE
 HOUSES\PAR \TAB GARDEN ORCHARDS
 SHEILDING PARTS AND PENDICLES AND\PAR
 \TAB UNIVERSAL PERTINENTS OF THE SAME ALL
 LYING WITHIN THE \PAR \TAB PARISH OF URRAY
 AND COUNTY OF ROSS AND ALL AND\PAR \TAB
 WHOLE THE LANDS AND ESTATE AND COUNTY
 OF STRATHCONNON\PAR \TAB
 COMPREHENDING THE PARTICULAR TOWNS
 AND TENEMENTS\PAR \TAB SPECIFIED IN THE
 RIGHTS AND INFETMENTS THEREOF
 CONCEIVED\PAR \TAB IN FAVOUR OF THE SAID
 \cf1 ALEXANDER MACKENZIE\cf2 HIS
 PREDECESSORS\PAR \TAB AND ALL HEIRS AND

BY WHATSOEVER DENOMINATION THEY GO \PAR
 \TAB AND ARE DESCRIBED THEIR WILL WHICH IN
 WHOLE EXTEND \PAR \TAB TO TWO DAVOCHS
 AND IN HALF DAVOCH LAND WITH THE
 WOOD \PAR \TAB GRAZING SHEALING MOSSES
 PASTURAGES PARTS PENDICLES \PAR \TAB AND
 PERTINENTS KNOWN TO PERTAIN AND BELONG
 THERETO \PAR \TAB AND WHICH LANDS IN THE
 RESPECTIVE PARISHES OF \cf1 URRAY \PAR
 \TAB FODDERTY AND CONTIN \cf2 IN THE
 SHERIFFDOM OF ROSS TOGETHER \PAR \TAB
 WITH ALL RIGHT AND INTEREST CLAIM OF RIGHT
 PROPERLY \PAR \TAB AND POSSESSION WHICH
 THE SAID \cf1 ALEXANDER
 MACKENZIE \cf2 \PAR \TAB HIS AUTHORS AND
 PREDECESSORS HAD OR ANY WAYS RIGHTS \PAR
 \TAB HAVE CLAIM OR PRETEND TO THE SAID
 LANDS AND OTHERS \PAR \TAB OR TO ANY PART
 APPORTION THEREOF AND THEIR REAL
 SECURITY \PAR \TAB
 \TAB \TAB \TAB \TAB \TAB \TAB \TAB \TAB \PAR
 \TAB \TAB \TAB \TAB \TAB \TAB \TAB \TAB \TAB
 \TAB \PAR \PAR
 \TAB \TAB \TAB \TAB \TAB \TAB \TAB \TAB \TAB \TAB
 \TAB \TAB \TAB \TAB \PAR
 \TAB \TAB \TAB \TAB \TAB \TAB \TAB \TAB \cf0 \TAB
 \TAB \PAR }

28 DEED OF ENTAIL

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{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{
\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0
GEORGIA;}}{\COLORTBL
;\RED255\GREEN0\BLUE0;\REDO\GREEN0\BLUE12
8;}{\*\GENERATOR MSFTEDIT
5.41.15.1503;}\VIEWKIND4\UC1\PARD\FI-
710\LI710\F0\FS16\TAB\PAR \B\TAB\CF1
GERALDINE LINE\CF0\PAR \TAB\CF1 X1
COLIN\CF0\PAR \TAB\PAR \TAB X11
KENNETH\TAB\TAB\TAB\CF1 RODERICK
MACKENZIE * \CF2 MARGARET
MCLEOD\CF0\TAB\TAB\TAB \TAB\PAR \TAB X111
COLIN\TAB\TAB\TAB DIED 1626\PAR \TAB X1V
GEORGE\TAB\TAB\TAB\PAR \TAB XV
KENNETH\TAB\TAB\TAB\TAB\TAB\CF1 JOHN
MACKENZIE * \CF2 MARGARET
ERSKINE\CF0\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB OF
TARBET\PAR \TAB\TAB\TAB\TAB\TAB\TAB\TAB
DIED 1654\PAR \TAB XV1 KENNETH\TAB JOHN
OF ASSINT * SIBELLA \TAB\TAB\TAB\TAB \PAR
\TAB\CF1 4TH EARL OF\CF0\TAB\TAB CS
235/11/1 MISC DEED.\TAB\TAB\TAB\TAB \PAR
\TAB\CF1 SEAFORTH\CF0\TAB\TAB ISLE OF
SKYE.\PAR \PAR \TAB\TAB KENNETH OF ASSINT *
FRANCIS\TAB\TAB \CF1 ALEXANDER
MACKENZIE * BARBARA\CF0\PAR \TAB\TAB
DIED 1723\TAB\TAB\TAB\TAB 1ST OF ARDLOCH
DIED 1736\PAR \TAB\TAB \TAB\TAB\TAB\PAR
\TAB\TAB\TAB\TAB\TAB COLONEL ALEXANDER
OF\PAR \PARD\FI-710\LI710\RI89\TAB\TAB\TAB
\TAB\TAB CONANSBAY \CF1 BROTHER TO
JOHN\CF0\PAR \PARD\FI-710\LI710\TAB\PAR
\PAR \TAB\TAB\TAB\PAR
\TAB\TAB\TAB\TAB\TAB\TAB MAJOR WILLIAM
MACKENZIE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\CF1 SON\CF0\PAR
\TAB\PAR \PAR \TAB XV11
```

WILLIAM\TAB\TAB\TAB\TAB\TAB\TAB\TAB\PAR
\TAB XV1 1 1 KENNETH\TAB\TAB\TAB\TAB\TAB
COLONEL THOMAS F MACKENZIE\TAB \PAR \TAB
X1X KENNETH BARON ARDELVE\TAB
HUMBERSTON\TAB\TAB FRANCIS HUMBERSTON
MACKENZIE\PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB\CF1 BROTHER
TO FRANCIS\CF0\TAB \PAR
\TAB\TAB\TAB\TAB\TAB\TAB\TAB DIED 18 15\PAR
\PAR \PAR \PAR \PAR \PAR \PAR\TAB\B0 SASINE
WILLIAM FRASER OF CULBOKIE INVERNESS\PAR \TAB
RS2788/3. \PAR \TAB\PAR \TAB\PAR \TAB AT
EDINBURGH 23/5/ 1856 BETWEEN THE HOURS
OF TWO AND THREE IN\PAR \TAB THE
AFTERNOON THE INSTRUMENT OF SASINE
UNDER WRITEN WAS BY\PAR \TAB JAMES
MASON SOLICITOR SUPREME COURTS
EDINBURGH PRESENTED\PAR \TAB FOR
REGISTRATION AND IS INGROSSED IN THE TWO
THOUSAND\PAR \TAB SEVEN HUNDRED AND
EIGHTY EIGHT BOOK OF THE NEW GENERAL\PAR
\TAB REGISTER OF SASINES REVERSIONS AS
FOLLOWS VIZ. AT EDINBURGH\PAR \TAB THERE
WAS BY OR ON BEHALF OF WILLIAM FRASER
ESQUIRE OF\PAR \TAB CULBOKIE LATE CAPTAIN
IN THE SEVENTY SIXTH REGIMENT OF\PAR \TAB
INVERNESSHIRE MILITIA PRESENTED TO ME
NOTARY PUBLIC \PAR \TAB SUBSCRIBING A
CHARTER OF SALE UNDER THE SEAL NOW
USED\PAR \TAB FOR THE GREAT SEAL OF
SCOTLAND AND BEARING DATE AS IN\PAR \TAB
THE PRECEPT OF SASINE AND SEALING
HEREINAFTER INSERTED\PAR \TAB BY WHICH
CHARTER VICTORIA BY THE GRACE OF GOD OF
THE \PAR \TAB UNITED KINGDOM OF GREAT
BRITAIN AND IRELAND QUEEN DEFENDER\PAR
\TAB OF THE FAITH GAVE AND GRANTED AND
DISPONED AND FOR EVER\PAR \TAB
CONFIRMED TO THE SAID WILLIAM FRASER AND

HIS HEIRS AND\PAR \TAB ASSIGNEES
WHOMSOEVER HERITABLY AND IRREDEEMABLY
ALL\PAR \TAB AND WHOLE THE
FOLLOWINGPARTS AND PORTIONS OF THE
LANDS\PAR \TAB AND BARONY OF MACDONALD
VIZ. ALL AND WHOLE THOSE PARTS\PAR \TAB
AND PORTIONS LYING TO THE NORTH OF THE
MARCHS OF THE FARMS\PAR \TAB OR LANDS OF
KINGSBURGH AND SCORRIEBRECK OF THE
FOLLOWING\PAR \TAB PARTS AND PORTIONS OF
THE SAID LANDS OF THE BARONY OF\PAR \TAB
MACDONALD VIZ. THE TEN PENNY LAND
KILLIEVAXTER IN\PAR \TAB TROTTERNISH WITH
PARTS PENDICLES AND PERTINENTS ALL\PAR
\TAB AND WHOLE THE 80 MERKS LANDS OF
TROTTERNISH WITH CASTLE \PAR \TAB TOWERS
FORTALICES MANOR PLACES MILLS MULTURES
WOODS\PAR \TAB FISHING AS WELL OF SALMON
AND AS WELL IN SALT WATER AS IN FRESH\PAR
\TAB WATER MOUNTAINS HILLS MUIRS MARSHES
COMMONTIES PRIVILEGES\PAR \TAB
PASTURAGES PARTS PENDICLES ANNEXIS
CONNEXIS OUTSETS\PAR \TAB
COMPREHENDING OR CONSISTING THE SAID
LANDS AND OTHERS\PAR \TAB OF THE ENTIRE
OR ALMOST THE ENTIRE PARISH OF KILMUIR
AND PART OF\PAR \TAB THE PARISH OF
SNIGZORT IN THE ISLE OF SKYE OF SKYE ALL
AS\PAR \TAB DESCRIBED IN THE ARTICLES AND
CONDITIONS OF ROUP THEREOF\PAR \TAB
DATED 30/5/1855 YEARS AND WHICH NOT
WITHSTANDING THE\PAR \TAB DESCRIPTION
THEREIN AND ABOVE GIVEN FROM THE TITLE
DEEDS\PAR \TAB OF THE ESTATE IT IS BY SAID
CHARTERS AS IT WAS BY THE\PAR \TAB SAID
ARTICLES AND CONDITIONS OF ROUP
DECLARED SHOULD\PAR \TAB BE HELD TO
COMPREHEND AND TO CONSIST OF THOSE
PARTS\PAR \TAB AND PORTIONS OF THE SAID
LANDS AND BARONY OF MCDONALD\PAR \TAB

IN THE THE PARISHES OF KILMUIR AND SNZORT
AND ISLAND\PAR \TAB OF SKYE SITUATED AND
LYING TO THE NORTH OF THE PRESENT\PAR
\TAB MARCHES OF THE FARMS OF KINGSBURGH
AND SCORRIEBRECK\PAR \TAB AS IN THE SAID
FARMS ARE NOW POSSESSED BY MR
DONALD\PAR \TAB MCLEOD THE PRESENT
TENANT THEREOF AS THE SAID LINES\PAR \TAB
OF MARCH WERE SOMETIME MARKED AND
PITTED OFF BY ALEXANDER\PAR \TAB KENNETH
MACKINNON ESQ. THE FACTOR FOR THE RIGHT
HONOURABLE\PAR \TAB GODFREY WILLIAM
WENTWORTH LORD MACDONALD AND NO
OTHER\PAR \TAB LANDS AND THAT FREE FROM
THE FETTERS OF THE CONTRACT OR DEED\PAR
\TAB OF ENTAIL OF THE LANDS AND BARONY OF
MCDONALD DATED THE \PAR \TAB 07/9/ AND
08/11/1726 AND REGISTERED IN THE REGISTER
OF TALZIES\PAR \TAB ON THE 23/6/1836 MADE
AND GRANTED BY AND BETWEEN MR
KENNETH\PAR \TAB MACKENZIE ADVOCATE OF
THE ONE PART AND ALEXANDER
MACDONALD\PAR \TAB ONLY SON THEN IN LIFE
OF THE DECEASED JAMES MACDONALD
BROTHER\PAR \TAB TO THE LATE SIR DONALD
MACDONALD OF THAT ILK OF THE OTHER\PAR
\TAB PART AND FREE OF ALL DEBTS
DILEGENCES AND INCUMBRANCES\PAR \TAB
AFFECTING THE SAID LANDS AND OTHERS
ABOVE DESCRIBED UNDER\PAR \TAB ALL THE
CONDITIONS PROVISIONS AND DECLARATIONS
SPECIFIED\PAR \TAB AND CONTAINED IN THE
ARTICLES AND CONDITIONS OF ROUP
BEFORE\PAR \TAB MENTIONED WHICH ARE IN
SAID CHARTER SPECIALLY REFERED TO\PAR
\TAB BREVITATIS CAUSA AND WHICH TEN
PENNY LAND OF KILLEVAXTER\PAR \TAB AND
EIGHTY MERK LANDS OF TROTTERNISH AND
OTHERS ABOVE\PAR \TAB DESCRIBED ARE PART

OF THE LANDS AND BARONY OF MACDONALD
\PAR \TAB CONTAINED IN A PRECEPT FROM
CHANCERY DATED SEVENTH MAY \PAR \TAB
EIGHTEEN HUNDRED AND THIRTY THREE FOR
INFECTING THE SAID \PAR \TAB RIGHT
HONORABLE GODFREY WILLIAM WENTWORTH
LORD MCDONALD \PAR \TAB THEREIN DESIGNED
THE RIGHT HONOURABLE LORD GODFREY
WILLIAM \PAR \TAB WENTWORTH MACDONALD
OF THE ISLES BARONET OF MACDONALD \PAR
\TAB LORD OF SLATE BARON MACDONALD IN
THE SAID LANDS AND BARONY \PAR \TAB OF
MACDONALD AS ELDEST SON AND NEAREST
AND LAWFUL HEIR OF \PAR \TAB TALZIE AND
PROVISION IN SPECIAL OF LIEUTENANT
GENERAL LORD \PAR \TAB GODFREY BOSVILLE
MACDONALD OF THE ISLES BARONET OF
MACDONALD \PAR \TAB LORD OF SLATE BARON
MACDONALD HIS FATHER AND INSTRUMENT
OF \PAR \TAB SASINE FOLLOWING THEREON IN
FAVOUR OF THE SAID RIGHT HONOURABLE \PAR
\TAB GODFREY WILLIAM WENTWORTH LORD
MACDONALD IN THE SAID LANDS \PAR \TAB AND
BARONY OF MACDONALD DATED 15/05/1833
AND RECORDED IN THE \PAR \TAB GENERAL
REGISTER OF SASINES AT EDINBURGH THE
11/07/1833 AND \PAR \TAB WHICH LANDS AND
OTHERS ABOVE DESCRIBED ARE BY THE SAID
CHARTER \PAR \TAB DISUNITED FROM ALL AND
SUNDRY EARLDOMS LORDSHIPS BARONIES
AND \PAR \TAB OTHERS WHATSOEVER
WHEREUNTO THEY WERE FORMERLY UNITED
AND \PAR \TAB ANNEXED OR WHEREOF THEY
WERE PARTS AND PERTINENTS TO BE
HOLDEN \PAR \TAB THE SAID LANDS AND
OTHERS OF THE CROWN IN FREE BLENCH
FARM \PAR \TAB FEE AND HERITAGE FOR EVER
FOR PAYMENT THEREFOR OF A PENNY
SCOTS \PAR \TAB AT WHITSUNDAY YEARLY OF
BLENCH DUTY IF ASKED ONLY WHICH

CHARTER\PAR \TAB ONLY WHICH CONTAINS A
PRECEPT OF SASINE IN THE FOLLOWING
TERMS\PAR \TAB MOREOVER WE DESIRE ANY
NOTARY PUBLIC TO WHOM THIS CHARTER\PAR
\TAB MAY BE PRESENT TO GIVE TO THE SAID
WILLIAM FRASER OR HIS FORESAIDS\PAR \TAB
SASINE OF THE LANDS AND OTHERS ABOVE
DESCRIBED AND THAT FREED \PAR \TAB FROM
THE FETTERS OF THE CONTRACT OR DEED OF
ENTAIL ABOVE\PAR \TAB REFERRED TO AND OF
ALL DEBTS DILEGENCE AND
INCUMBRANCES\PAR \TAB AFFECTING THE
SAME IN WITNESS WHEREOF WE HAVE
ORDERED THE SEAL\PAR \TAB NOW USED FOR
THE GREAT SEAL OF SCOTLAND TO BE
APPENDED HERETO\PAR \TAB OF THIS DATE
AND THE SAME IS ACCORDINGLY APPENDED AT
EDINBURGH\PAR \TAB THE 16/05/1856 YEARS.
ARCHIBALD MCNEILL DIRECTOR OF
CHANCERY\PAR \TAB F.W.L.GORDON
SUBSTITUTE KEEPER OF THE SEAL 24 POUNDS
SCOTTS\PAR \TAB MONEY IN VIRTUE OF WHICH
PRECEPT I HERBY GIVE SASINE TO THE SAID\PAR
\TAB WILLIAM FRASER OF THE LANDS AND
OTHERS ABOVE DESCRIBED AND THAT\PAR \TAB
FREED FROM THE FETTERS OF THE SAID
CONTRACT OR DEED OF ENTAIL \PAR \TAB
BEFORE REFERED TO AND OF ALL DEBTS
DILEGENCES AND INCUMBRANCES\PAR \TAB
AFFECTING THE SAME IN WITNESS WHEREOF I
HAVE SUBSCRIBED THESE\PAR \TAB PRESENTS
WRITEN APON THIS AND THE TWO PRECEEDING
PAGES\PAR \TAB BY ALEXANDER ARCHIBALD
APPRENTICE TO JAMES MASON SOLICITOR\PAR
\TAB SUPREME COURTS EDINBURGH BEFORE
THESE WITNESSES THE SAID\PAR \TAB JAMES
MASON AND ALEXANDER ARCHIBALD BOTH
ABOVE DESIGNED\PAR \TAB PEIEGI WILLIAM
MASON NOTARY PUBLIC JAMES MASON

WITNESS\PAR \TAB ALEXANDER WITNESS
COLLATED BY JAMES LINDSAY WRITTEN BY\PAR
\TAB GEORGE Y. RUTHERFORD.\PAR \PAR \PAR
\TAB\PAR \PARD\FI-710\LI710\B\PAR \PAR
\TAB\PAR \TAB \PAR \PAR \PAR \PAR
\TAB\B0\TAB\PAR }

29 MILLMOUNT

{\RTF1 \ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\
FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0
GEORGIA;}}{\COLORTBL
;\RED255\GREEN0\BLUE0;\REDO\GREEN0\BLUE0;}
{*\GENERATOR MSFTEDIT
5.41.15.1503;}\VIEWKIND4\UC1 \PARD\F0\FS16\T
AB GD305/1/128/17.\PAR \PAR \TAB IT IS
CONTRACTED AGREED AND MATRIMONIALY
ENDED BETWIXT THE \PAR \TAB PARTIES

FOLLOWING VIZ. COLLONELL ROBERT MCKINZIE
IN THE SERVICE \PAR \TAB OF THE
HONOURABLE EAST INDIA COMPANY ON THE
ONE PART AND MISS \PAR \TAB KATHERINE
SUTHERLAND ELDEST LAWFULL DAUGHTER OF
THE DECEAST \PAR \TAB COLL. JAMES
SUTHERLAND OF UPPAT WITH THE ADVICE AND
CONSENT \PAR \TAB OF CAPTAIN GEORGE
SACKVILLE SUTHERLAND OF UPPAT HER
BROTHER \PAR \TAB GERMAN ON THE OTHER
PART IN MANNER FOLLOWING THAT IS TO
SAY \PAR \TAB THE SAID COLL ROBERT
MACKENZIE AND MISS KATHERINE
SUTHERLAND \PAR \TAB HAVING CONCURRED A
MUTUAL LOVE AND AFFECTION FOR ONE \PAR
\TAB ANOTHER HAVE ACCEPTED AND DO
HEREBY ACCEPT OF EACH OTHER \PAR \TAB FOR
LAWFULL SPOUSES AND HEREBY BIND AND
OBLIGE THEM TO \PAR \TAB SOLEMISE THE HOLY
BONDS OF MATRIMONY WITH ALL
CONCONCIENT \PAR \TAB SPEED IN
CONTEMPLATION OF WHICH MARRIAGE THE
SAID COLL ROBERT \PAR \TAB MCKINZIE HEREBY
BINDS AND OBLIGES HIM HIS HEIRS
EXECUTERS \PAR \TAB AND SUCCESSORS TO
CONTENT AND PAY TO THE SAID MISS
KATHERINE \PAR \TAB SUTHERLAND IN THE
EVENTS OF HER SURVIVING HIM AND
INDEPENDENT \PAR \TAB OF THE ADDITION
THERE TO IN THE EVENT HEREIN AFTER
MENTIONED \PAR \TAB ALL AND HAILL OF FREE
YEARLY ANNUITY OF TWO HUNDRED
POUNDS \PAR \TAB STERLING AND THAT AT TWO
TERMS IN THE YEAR WHITSUNDAY \PAR \TAB
AND MARTINMAS BY EQUALL PORTIONS
BEGINNING THE FIRST TERMS \PAR \TAB
PAYMENT THEREOF THE FIRST SUM OF
WHITSUNDAY ON MARTINMAS AFTER \PAR \TAB
HIS DECEASE FOR THE HALF YEAR PRECEEDING

AND SO ON HALF YEARLY\PAR \TAB DURING ALL
 THE DAYS OF HER LIFETIME WITH A FIFTH PART
 MORE\PAR \TAB OF EACH TERM PAYMENT OF
 LIQUIDATE PENALTY INCREASE OF HAILLE \PAR
 \TAB AND THE DUE AND ORDINARY ANNUAL
 RENT THEREOF THEREAFTER\PAR \TAB DURING
 THE NOT PAYMENT AND FURTHER THE SAID
 COLL.ROBERT \PAR \TAB BINDS AND OBLIGES
 HIM AND HIS FORSAID IN THE EVENT OF ONE
 \PAR \TAB CHILD MALE OR FEMALE BEING
 PROCREATED OF THIS MARRIAGE BETWIXT\PAR
 \TAB HIM AND THE SAID MISS KATHERINE
 SUTHERLAND TO CONTEND \PAR \TAB AND PAY
 TO SUCH CHILD THE SUM OF THREE THOUSANT
 POUNDS\PAR \TAB STERLING TWO CHILDREN
 MALE OR FEMALE THE SUM OF TWO
 THOUSANT\PAR \TAB POUNDS STERLING EACH
 AND IF THREE OR MORE CHILDREN THE
 SUM\PAR \TAB OF SIX THOUSAND POUNDS
 STERLING THE ELDEST CHILD TO \PAR \TAB
 RECEIVE OF THAT SUM OF THREE THOUSAND
 POUNDS STERLING AND \PAR \TAB THE
 REMAINING THREE THOUSAND POUNDS
 STERLING TO BE \PAR \TAB DIVIDED AMONGST
 THE YOUNGER CHILDREN IN SUCH
 PROPORTIONS\PAR \TAB AS THEIR FATHER AND
 MOTHER OR SURVIVOR OF THEM MAY THINK\PAR
 \TAB PROPER AT ANY TIME IN THEIR LIFETIME
 AND THAT AT AND AGAINST\PAR \TAB THE FIRST
 TERM OF WHITSUNDAY OR MARTINMAS AFTER
 HIS DECEASE\PAR \TAB WITH A FIFTH PART
 MORE OF EACH CHILD PROVISION OF
 LIQUIDATE\PAR \TAB PENALTY IN CASE OF
 HAILLE AND THE DUE AND ORDINARY
 ANNUAL\PAR \TAB RENT THEREOF THEREAFTER
 DURINGTHE NOT PAYMENT BUT DECLARING\PAR
 \TAB THAT INTHE EVENT OF THE SAID COLL
 ROBERT MCKINZIES PREDECEASING \PAR \TAB
 THE SAID MISS KATHERINE SUTHERLAND AND
 THAT THE DISSOLUTION \PAR \TAB THE

MARRIAGE BY HIS DECEASED ARE OTHERWAYS THERE SHOULD\PAR \TAB BE AND CHILD OR CHILDREN EXISTING THEREOF AS THE TIME THEM\PAR \TAB THAT CASE THE SAID COLL.ROBERT MCKINZIE PROVIDES HER IN AND\PAR \TAB SHE SHALL BE ENTITLED TO RECEIVE AND IS HEREBY EMPOWERED\PAR \TAB TO DEMAND AND RECEIVE THE INTEREST OF THE SAID SIX THOUSANT\PAR \TAB POUNDS STERLING PROVIDED TO THE CHILDREN OF THE MARRIAGE\PAR \TAB IN MANNER BEFORE MENTIONED DECLAIRING ALSO THAT IN THE EVENT\PAR \TAB OF THE DECEASE OF THE SAID COLL. ROBERT MCKINZIE BEFORE THE\PAR \TAB SAID MISS KATHERINE SUTHERLAND AND THAT THERE SHOULD\PAR \TAB BE ONE OR MORE CHILDREN OF THE MARRIAGE ENDING AT THE TIME AND\PAR \TAB THAT THERE SHOULD BE A DEFICIENCY IN HIS FUNDS FOR ANSWERING THE\PAR \TAB SEVERAL PROVISIONS IN THEIR FAVOUR BEFORE MENTIONED AND PAYING\PAR \TAB THE SAID ANNUITY OF TWO HUNDRED POUNDS STERLING TO THE SAID\PAR \TAB KATHERINE SUTHERLAND YET THAT SUCH DEFICIENCY SHALL IN THE\PAR \TAB MEANTIME FALL UPON THE CHILDREN PROVISIONS UNTILL THE DECEASED\PAR \TAB OF THE SAID MISS KATHERINE SUTHERLAND AND THAT IN EVERY EVENT\PAR \TAB THE SUM OF FOUR THOUSAND POUNDS STERLING SHALL REMAIN CLEAR\PAR \TAB AND UNTOUCHED FOR ANSWERING THE SAID ANNUITY DURING ALL\PAR \TAB THE DAYS OF HER LIFETIME AND FOR THE FURTHER SECURITY OF THE SAID\PAR \TAB MISS KATHERINE SUTHERLAND FOR PAYMENT OF THE SAID EVENTUALL\PAR \TAB ANNUITY AND FOR THE PROVISIONS TO THE CHILDREN OF THE MARRIAGE\PAR \TAB BEFORE MENTION THE SAID COLL. ROBERT MCKINZIE ASSIGNS

AND\PAR \TAB CONVEYS AS MUCH OF THE SEVERALL SUMS OF ANNUITY AFTER\PAR \TAB MENTIONED WITH THE SECURITIES THEREFORE AS WILL COMPLETELY\PAR \TAB SATISFY AND PAY THE SAME VIZ. THE SUM OF SIXTY SEVEN THOUSANT\PAR \TAB EIGHT HUNDRED AND EIGHT DINA RUPEES VESTED BY ME IN THE\PAR \TAB EIGHTY PER CENT EAST INDIA GOVERNMENT SECURITIES\PAR \TAB BY SEVERAL INVESTITURES THE FIRST DATED THE 4TH DAY OF\PAR \TAB MAY ONE THOUSANT SEVERAL HUNDRED AND NINETY THREE\PAR \TAB AND THE LAST DATED THE FIRST DAY OF NOVEMBER ONE THOUSANT\PAR \TAB EIGHT HUNDRED YEAR ALL AS CONTAINED IN AN ACCOUNT CURRENT\PAR \TAB BETWIXT HIM AND MESSRS. DOWNIE AND MAITLAND HIS AGENTS\PAR \TAB AT CALCUTTA DATED 31/12/1800 YEARS THE FURTHER SUM OF TWENTY\PAR \TAB THOUSANT DIVA RUPEES VESTED BY HIM IN THE SAID GOVERNMENT\PAR \TAB SECURITIES BEING NUMBER FORTY EIGHT OF THE DECENNIAL LOAN\PAR \TAB OBLIGATION DATED THE SIXTEENTH DAY OF NOVEMBER ONE THOUSAND\PAR \TAB SEVEN HUNDRED AND NINETY EIGHT AND ALSO STOCK TO THE AMOUNT\PAR \TAB OF EIGHT THOUSANT ONE HUNDRED AND FORTY ONE POUNDS VESTED\PAR \TAB BY HIM IN THE THREE PERCENT CONSOLIDATED FUNDS OF GREAT\PAR \TAB BRITAIN AND MANAGED ON HIS AMOUNT BY MESSRS. THOMAS COUTTS\PAR \TAB AND CO BANKERS IN LONDON CONFORM TO THEIR AMOUNT CURRENT\PAR \TAB WITH HIM THERE ANENT ENDING THE SIXTEENTH DAY OF MAY LAST\PAR \TAB AND WHICH AMOUNT ARE SIGNED BY THE PARTIES OF THIS DATE AS\PAR \TAB RELATIVE HERETO AND IN WHICH LAST SUM IS INCLUDED THE SUM\PAR \TAB OF SIX HUNDRED POUNDS STERLING VESTED IN THE

SAID FUNDS\PAR \TAB SINCE THAT PERIOD WITH
POWER TO THE SAID MISS KATHERINE\PAR \TAB
SUTHERLAND IN THE EVENT OF HER SURVIVING
THE SAID AFFIDATE\PAR \TAB SPOUSE OUT OF
BOTH ARE EITHER OF THE SAID FUNDS THE
SAID\PAR \TAB YEARLY ANNUITY ACCEPTS AND
DISCHARGES TO GRANT THEREFORE\PAR \TAB
AND GENERALLY EVERY OTHERTHING
THEREANENT TO DO THAT\PAR \TAB HE COULD
HAVE DONE HIMSELF DURING HIS LIFETIME AND
IF SHE\PAR \TAB SHALL JUDGE IT MORE
EXPEDIENT THE SAID COLL.ROBERT
MCKINZIE\PAR \TAB BINDS AND OBLIGES
HIMSELF WHEN REQUIRED TO INVEST THE
SAID\PAR \TAB SUM OF FOUR THOUSANT
POUNDS STERLING IN THE BRITISH FUNDS\PAR
\TAB IN HER NAME TO———— THE SAID ————
ANNUITY AND TO LAY\PAR \TAB OUT THE SAME
OR HERITABLE SECURITY AND TO TAKE THE
SECURITY\PAR \TAB THEREFORE PAYABLE TO
HER IN LIFERENT DURING ALL THE DAYS\PAR
\TAB OF HER LIFETIME AND TO THE CHILDREN
OF THE MARRIAGE IN THE\PAR \TAB EVENTS
PREMENTIONED IN FEE TO ANSWER IN WHOLE
OR IN PART\PAR \TAB AS CIRCUMSTANCES MAY
BE THEIR SAID PROVISION DECLARING
ALSO\PAR \TAB THAT THE CHILDREN TO BE
PROCREATE OF THE MARRIAGE SHALL
DURING\PAR \TAB THE LIFE OF THEIR FATHER
BE MAINTAINED AND EDUCATED \PAR \TAB
SUITABLE O THEIR STATION BY HIM AND IN THE
EVENT OF HIS DECEASE\PAR \TAB PREVIOUS TO
THEIR ARRIVING AT THE YEARS OF MAJORITY
THAT THEIR\PAR \TAB SAID MOTHER SHALL BE
THEIR TUTORS AND CURATORS AND SHALL\PAR
\TAB UPLIFT RECEIVE AND DISCHARGE THE
INTEREST OF THE MONEYS \PAR \TAB BEFORE
PROVIDED TO THEM UNTIL THEIR ARRIVAL AT
THE AGE OF\PAR \TAB FIFTEEN YEARS IF MALE

CHILDREN ON THEIR MAJORITY AT\PAR \TAB
 MARRIAGE IF FEMALE IN LIEU OF THEIR
 EDUCATION AND MAINTAINANCE\PAR \TAB AND
 FURTHER THE SAID COLL. ROBERT MCKINZIE IN
 THE EVENT\PAR \TAB OF THE SAID MISS
 KATHERINE SUTHERLAND SURVIVING HIM
 ASSIGNS\PAR \TAB CONVEYS AND MAKES OVER
 TO HER HEIRS AND ASSIGNEES AS HER\PAR
 \TAB OWN UNDOUBTED PROPERTY THE WHOLE
 HOSEHOLD FURNITURE\PAR \TAB AND
 PLENISHING OF EVERY DENOMINATION BED AND
 TABLE LINEN\PAR \TAB ——— AND TABLE CHINA
 SILVERPLATE AND IN GENERALL EVERY\PAR
 \TAB ARTICLE OF HOUSEHOLD OF FURNITURE
 AND PLENISHING THAT\PAR \TAB SHALL
 PERTAIN AND BELONG TO HIM OR BE IN
 COMMUNION\PAR \TAB BETWIXT THEM AT THE
 TIME OF HIS DECEASE DISPENSING\PAR \TAB
 WITH THE GENERALITY HEREOF AND ADMITTING
 THE SAME TO\PAR \TAB BE EQUALLY GOOD
 VALID AND SUFFICIENT AS IF EVERY
 ARTICLE\PAR \TAB THEN BELONGING TO HIM
 WERE HEREIN PARTICULARY INSERTED\PAR
 \TAB MOREOVER THE SAID COLL.ROBERT
 MCKINZIE HEREBY RENOUNCES\PAR \TAB AND
 GIVES UP FOR HIMSELF HIS HEIRS AND
 SUCCESSORS\PAR \TAB ANY CLAIM OR TITLE HE
 MIGHT HAVE JURE MARITE OR OTHERWAYS\PAR
 \TAB TO ANY MONEY MEANS OR EFFECTS
 PRESENTLY BELONGING TO THE\PAR \TAB SAID
 MISS KATHERINE SUTHERLAND OR TO WHICH
 SHE MAY HEREAFTER\PAR \TAB HAVE RIGHT
 ANY MANNER OF WAY AND PARTICULARY
 WITHOUT\PAR \TAB PREDUDICE TO THE
 GENERALITY FORESAID TO A BOND FOR
 FIVE\PAR \TAB HUNDRED POUNDS STIRLING
 GRANTED TO HER BY SIR EWEN BAILLIE\PAR
 \TAB OF THE EAST INDIA COMPANY SERVICE
 AND TO ANY CLAIM OF PROVISION\PAR \TAB
 MADE IN HER FAVOUR BY HEIRS AND DECEASED

FATHER DECLARING\PAR \TAB THE SAME HER
OWN PROPERTY AND AS HER DISPOSAL IN
ANY\PAR \TAB MANNER SHE MAY THINK PROPER
WITHOUT HIS CONCENT\PAR \TAB ARE
APPROBATION AND FURTHER THE SAID
COLL.ROBERT\PAR \TAB MCKENZIE DISPONES
CONVEYS AND MAKES OVER FROM HIM HIS
HEIRS\PAR \TAB AND SUCCESSORS TO AND IN
FAVOUR OF THE SAID MISS KATHERINE\PAR
\TAB SUTHERLAND HIS AFFIDATE SPOUSE HIS
HEIRS ASSIGNEES WHOMSOEVER\PAR \TAB
UNDER THE BURDEN OF THE PAYMENT OF THE
YEARLY FEU DUTY PAYABLE\PAR \TAB OUT
THEREOF HERITABLE AND IRREDEEMABLE ALL
AND HAILLE THAT\PAR \TAB HOUSE LYING IN
THE VILLAGE OF NEW TARBET CALLED
MILMOUNT\PAR \TAB CALLED MILLMOUNT WICH
THE GARDEN BACK CLOSE \PAR \TAB AND
WHOLE PARTS PENDICLES AND PERTINENTS
THERETO BELONGING\PAR \TAB BOUNDED ON
THE WEST BY THE HIGH ROAD LEADING
THROUGH\PAR \TAB MILMOUNT AND ON THE
SOUTH BY THE WATER – OR AS THE\PAR \TAB
SAME MAY BE OTHERWAYS BOUNDED AND
DESCRIBED IN HIS RIGHTS AND \PAR \TAB
INFETMENTS THEREOF ALL LYING IN THE
PARISH OF KILMUIR AND COUNTY\PAR \TAB OF
ROSS TOGETHER WITH ALL RIGHT AND CLAIM OF
RIGHT OF PROPERTY\PAR \TAB AND
POSSESSION WHICH HE CAN CLAIM OR
PRETEND THERETO ANY MANNER\PAR \TAB OF
WAY IN WHICH HOUSE WITH THE GARDEN AND
PERTINENTS BEFORE\PAR \TAB MENTIONED THE
SAID COLL.ROBERT MCKINZIE BIND AND
OBLIGES HIM HIS\PAR \TAB HEIRS SUCCESSORS
TO INFET AND LEASE THE SAID MISS
KATHERINE\TAB\PAR \TAB SUTHERLAND HIS
AFFIDATE SPOUSE HERITABLE AND
IRREDEEMABLE\PAR \TAB AND THAT BY

RESIGNATION OR CONFIRMATION OR BOTH THE
ONE\PAR \TAB WITHOUT PREJUDICE OF THE
OTHER AND FOR EXPEDING THE SAID\PAR \TAB
INFETMENT BY RESIGNATION HEREBY MAKES
AND CONSTITUTES\PAR \TAB AND EACH OF
THEM CONLLIE AND SEALLIE HIS UNDOUBTED —
\PAR \TAB AND COMMISSIONERS TO THE OFFICE
UNDER WRITEN GIVING GRANTING\PAR \TAB
AND COMMITTING TO THEM FULL POWER
WARRANT AND COMMISSION\PAR \TAB FOR HIM
AND IN HIS NAME TO COMPEAR HEREFOR\PAR
\TAB HIS IMMEDIATE LAWFULL SUPERIORS OF
THE SAID SUBJECTS\PAR \TAB OR THEIR
COMMISSIONERS HAVING POWER TO RECEIVE
RESIGNATIONS\PAR \TAB AND TO GRANT NEW
INFETMENTS THEREON AND THAT UPON\PAR
\TAB THE GROUND THEREOF AT ANY TIME
LAWFULL AND CONVENIENT\PAR \TAB AND
THEM AND THERE WITH ALL DUE REVERENCE
AND HUMILITY\PAR \TAB AS BECOMES PURELY
AND SIMPLY BY STAFF AND BATTON AS USE\PAR
\TAB IS TO RESIGN AND SURRENDER LIKEAS THE
SAID COLL. ROBERT MCKINZIE\PAR \TAB
HEREBY RESIGNS RENOUNCES SURRENDERS UP
GIVES OVER GIVES \PAR \TAB AND DELIVERS
ALL AND HAILLE THE HOUSE GARDEN AND
PERTINENTS \PAR \TAB CALLED MILLMOUNT
LYING IN THE SAID VILLAGE OF MILMOUNT OF
NEW\PAR \TAB TARBET PARISH OF KILMUIR AND
COUNTY OF ROSS AFORESAID AS \PAR \TAB
DESCRIBED AND HEREHELD AS REPEATED
BREVALITIS CAUSA OR AS\PAR \TAB THE SAME
ARE MORE PARTICULARY BOUNDED AND
DESCRIBED IN HIS \PAR \TAB RIGHTS AND
INFETMENTS THEREOF INTO THE HANDS OF HIS
\PAR \TAB IMMEDIATE LAWFULL SUPERIORS
THEREOF IN FAVOUR AND FOR\PAR \TAB NEW
INFETMENTS OF THE SAME TO BE MADE GIVEN
AND GRANTED\PAR \TAB TO THE SAID MISS
KATHERINE SUTHERLAND HIS AFFIDATE

SPOUSE\PAR \TAB IN SUCH DUE AND
COMPETENT FORM AS OFFERS ALL
INSTRUMENTS\PAR \TAB AND DOCUMENTS
THEREAPON TO TAKE AND GENERALLY
EVERY\PAR \TAB OTHERTHING THEREANNENT
TO DO WHICH HE COULD DO \PAR \TAB HIMSELF
IF PERSONALLY PRESENT ALL WHICH HE
HEREBY PROMISES\PAR \TAB TO HOLD FIRM
AND STABLE WITHOUT RESERVATION WHICH
DISPOSITION\PAR \TAB AND SUBJECTS THEREBY
CONVEYED THE SAID COLL. ROBERT
MCKINZIE\PAR \TAB BINDS AND OBLIGES HIM
HIS HEIRS AND SUCCESSORS TO WARRANT
TO\PAR \TAB THE SAID MISS KATHERINE
SUTHERLAND HIS AFFIDATE SPOUSE AND\PAR
\TAB HER FORESAIDS AS ALL HANDS AND
AGAINST ALL DEADLY AS LAW\PAR \TAB WILL
AND HEREBY MAKES AND CONSTITUTES THE
SAID MISS KATHERINE\PAR \TAB SUTHERLAND
AND HER FORSAIDS HIS COMMISSIONERS AND
ASSIGNEES\PAR \TAB NOT ONLY IN AND TO THE
RENTS MAILLS AND DUTIES THEREOF IN
TIME\PAR \TAB COMING BUT ALSO IN AND TO
THE TITLES WRITS AND EVIDENTS THEREOF\PAR
\TAB CONCEIVED INFAVOUR OF HIM HIS
PREDECESSORS OR AUTHORS AND WHICH\PAR
\TAB ASSIGNATION ABOVE WRITEN HE HEREBY
BINDS AND OBLIGES HIM\PAR \TAB AND HIS
FORESAID TO WARRANT AS FOLLOW VIZ. IN SO
FAR AS CONCERNS\PAR \TAB THE WRITS AND
EVIDENTS AS ALL HANDS AND AGAINST ALL
DEADLY AS LAW\PAR \TAB WILL AND IN SO FAR
AS CONCERNS THE RENTS MAILLS AND DUTIES
FROM\PAR \TAB HIS OWN PROPER FAILS AND
DEEDS ALL NAMELY AND IT IS HEREBY
AGREED\PAR \TAB UPON BETWIX THE PARTIES
THAT EXECUTION SHALL PASS HEREON AT
THE\PAR \TAB INSTANCE OF THE SAID CAPTAIN
GEORGE SACKVILLE SUTHERLAND\PAR \TAB

ROBERT SUTHERLAND ESQ. OF THE ISLAND OF
 ST VINCENT AND COLL. \PAR \TAB ALEXANDER
 BAILLIE OF KNOCHBRACHE OR ANY ONE OR
 MORE OF THEM \PAR \TAB OR THEIR HEIRS
 AGAINST THE SAID COLL. ROBERT MCKINZIE
 FOR \PAR \TAB IMPLEMENT AND PERFORMANCE
 IN FAVOUYR OF THE SAID MISS KATHERINE \PAR
 \TAB SUTHERLAND AND THE ISSUE OF THE SAID
 MARRIAGE OF THE PROVISION \PAR \TAB AND
 PRESTATIONS ABOVE WRITEN CONCEIVED IN
 THEIR FAVOUR AND \PAR \TAB DECLARING THAT
 THE PRESENT MARRIAGE SHOULD ABSOLVE —
 \PAR \TAB YEARS AND DAY FROM THE
 SOLEMNIZATION THEREOF WITHOUT A \PAR \TAB
 LIVING CHILD BEING HEARD BUT YET THIS
 PRESENT CONTRACT SHALL \PAR \TAB SUBSIST
 IN ITS FULL FORCE AND EFFECT IN FAVOUR OF
 THE SAID \PAR \TAB MISS KATHERINE
 SUTHERLAND ANY LAW OR PRACTICE TO THE
 \PAR \TAB CONTRARY NOTWITHSTANDING AND
 THEY CONSENT TO THE \PAR \TAB RESIGNATION
 HEREOF IN THE BOOKS OF COUNCIL AND
 SESSION \PAR \TAB OTHER COMPETENT THEREIN
 TO REMAIN FOR PRESERVATION \PAR \TAB AND
 IF NEED BE THAT ALL EXECUTION NECESSARY
 MAY \PAR \TAB PASS AND BE DIRECT HEREIN AS
 OFFERS AND THERETO \PAR \TAB THEY
 CONSTITUTE THEIR PROCULATORS AND
 COMMISSIONERS \PAR \TAB ALL TO THE EFFECT
 THE SAID MISS KATHERINE SUTHERLAND \PAR
 \TAB MAY BE INFECT AND LEASED IN THE SAID
 HOUSE GARDEN AND \PAR \TAB PERTINENTS
 THE SAID COLL. ROBERT MCKINZIE HEREBY
 DESIRES AND \PAR \TAB REQUIRES YOU AND
 EACH OF YOU CONLLIE AND SEALLIE HIS
 BAILLIES \PAR \TAB IN THAT PART HEREBY
 SPEEDILY CONSTITUTE THESE PRESENTS \PAR
 \TAB — PASS TO THE SAID SUBJECTS AND
 THERE GIVE AND DELIVER \PAR \TAB TO THE
 SAID MISS KATHERINE SUTHERLAND HERITABLE

STATE\PAR \TAB AND SASINE REAL AND
ACTUALL AND CORPOREAL POSSESSION\PAR
\TAB OF ALL AND HAILLE THE HOUSE GARDEN
AND PERTINENTS BEFORE\PAR \TAB DESCRIBED
OR AS THE SAME ARE MORE PARTICULARY
DESCRIBED \PAR \TAB IN HIS RIGHTS AND
INFETMENTS THEREOF AND HERE HELD\PAR
\TAB AS REPEATED BREVITATIS CAUSA CALLED
MILLMOUNT IN THE\PAR \TAB SAID VILLAGE OF
MILLMOUNT OF NEW TARBET PARISH OF
KILMUIR\PAR \TAB AND COUNTY OF ROSS WITH
THE WHOLE PARTS PENDICLES AND\PAR \TAB
PERTINENTS THERETO BELONGING AND THAT
BY DELIVERING \PAR \TAB TO THE SAID MISS
KATHERINE SUTHERLAND OR HER
ATTORNEY\PAR \TAB OR ATTORNEYS WHOM
NAME BEARER HEREOF\PAR \TAB _____
_____\PAR \TAB SYMBOLLS
USUALL AND NECESSARY BUT ALWAYS UNDER
THE\PAR \TAB BURDEN OF THE FEU DUTY
PAYABLE OUT THEREOF AND THIS IN\PAR \TAB
NOWAYS LEAVE UNDONE THE WHICH TO DO THE
SAID COLL.\PAR \TAB ROBERT MACKENZIE
COMMITTS TO YOU AND EACH OF YOU\PAR \TAB
CONLLIE AND SEALLIE AS SAID IS HIS FULL
POWER BY THIS HIS\PAR \TAB PRECEPT OF
SASINE DIRECTED TO YOU FOR THAT
EFFECT\PAR \TAB IN WITNESS WHEREOF BOTH
PARTIES HAVE SUBSCRIBED THESE\PAR \TAB
PRESENTS TOGETHER WITH ANOTHER
DUPLICATE HEREOF WROTE\PAR \TAB UPON
THIS AND THE SIX PRECEEDING PAGES OF
PAPER DULY STAMPED\PAR \TAB WORDING TO
LAW BY THOMAS SUTER SHERIFF CLERK OF
ROSS\PAR \TAB\cf1 BRAILANGWELL\cf2 THE
FIFTEENTH DAY OF AUGUST 1801 YEARS\PAR
\TAB BEFORE THESE WITNESSES THE SAID
COLL.ALEXANDER BAILLIE OF\PAR \TAB
KNOCHBRECK MR ALEXANDER BAILLIE HIS SON

AND THE SAID \PAR \TAB THOMAS SUTER WRITER
 HEREOF. \PAR \PAR \PAR \TAB \CF1 ROBERT
 MCKINZIE \PAR \TAB KATHARINE
 SUTHERLAND \PAR \TAB GEORGE SACKVILLE
 SUTHERLAND \PAR \TAB ALEXANDER BAILLIE
 WITNESS \PAR \TAB ALEXANDER BAILLIE HIS
 SON WITNESS \PAR \TAB THOMAS SUTER
 WITNESS \CF0 \PAR \PAR \TAB \PAR \PARD \FI-
 568 \LI568 \RI-926 \TAB RS3 / 1528 \PAR \TAB
 LORD MCDONALD TO THE COMMISSIONERS TO
 HIGHLAND CHURCH'S \PAR \TAB \PAR \TAB AT
 EDINBURGH 26 DECEMBER 1828 YEARS
 BETWEEN THE HOURS OF \PAR \TAB THREE AND
 FOUR AFTER NOON THE CONVEYANCE UNDER
 WRITEN \PAR \TAB WAS PRESENTED BY ADAM
 HATTON WRITER IN EDINBURGH AND \PAR \TAB
 IS RECORDED IN THE ONE THOUSANT FIVE
 HUNDRED AND TWENTY \TAB \PAR \TAB EIGHTH
 BOOK OF THE NEW GENERAL REGISTER OF
 SASINES \PAR \TAB REVERSIONS AND CONFORM
 TO THE ACT OF PARLIAMENT MADE \PAR \TAB
 THEREANENT IN JUNE 1617 AND WHEREOF THE
 TENOR FOLLOWS \PAR \TAB VIZ... I THE RIGHT
 HONOURABLE SIR GODFREY BOSVILLE \PAR
 \TAB MACDONALD BARONET LORD MACDONALD
 HERITABLE PROPRIETOR \PAR \TAB OF THE
 SUBJECTS AFTER CONVEYED AS HEIR OF ENTAIL
 SPECIALLY \PAR \TAB EMPOWERED TO
 AUTHORISED TO GRANT THE CONVEYANCE
 UNDER \PAR \TAB WRITTEN BY VIRTUE OF THE
 ACT OF PARLIAMENT HEREIN AFTER \PAR \TAB
 RECITED WHEREBY SECTION NINTH IT IS INTER
 ALIA ENACTED \PAR \TAB THAT IT SHALL AND
 MAY BE LAWFUL FOR ANY HEIR OF ENTAIL \PAR
 \TAB IN SCOTLAND WITH OR WITHOUT
 VALUABLE CONSIDERATION \PAR \TAB TO GIVE
 AND GRANT HERITABLY AND IRREDEMABLY TO
 THE \PAR \TAB COMMISSIONERS ACTING IN THE
 EXECUTION OF THE SAID \PAR \TAB ACT OF
 PARLIAMENT SUCH LAND OR HERITAGE

BELONGING TO\PAR \TAB THEM AS MAY BE
NECESSARY FOR ALL OR ANY OF THE \PAR \TAB
PURPOSES SPECIFIED THEREIN DO HEREBY
GRANT DISPONE \PAR \TAB AND CONVEY FROM
ME AND MY HEIRS OF ENTAIL IN THE LANDS \PAR
\TAB AND OTHERS AFTER MENTIONED TO THE
COMMISSIONERS\PAR \TAB ACTING IN THE
EXECUTION OF THE SAID ACT OF
PARLIAMENT\PAR \TAB PASSED IN THE FIFTH
YEAR OF THE REIGN OF HIS MAJESTY\PAR \TAB
KING GEORGE THE \TAB FOURTH ENTITLED AN
ACT TO AMEND\PAR \TAB AN ACT FOR BUILDING
ADDITIONAL PLACES OF WORSHIP\PAR \TAB IN
THE HIGHLANDS AND ISLANDS OF SCOTLAND
ALL\PAR \TAB AND WHOLE THAT PIECE OF
GROUND NEARLY OF A RECTANGULAR\PAR \TAB
FORM PART OF THE FARM \cf 1 GEARRIGHFADA
\cf 2 AND JOINING THE\PAR \TAB FARM OF \cf 1
STENSCHOLL \cf 2 DISTRICT OF \cf 1
TROTTERNISH \cf 2 IN THE\PAR \TAB\cf 1
ISLAND OF SKYE \cf 2 UPON WHICH THE SAID
COMMISSIONERS HAVE\PAR \TAB UNDER THE
PROVISIONS OF THE SAID ACT OF
PARLIAMENT\PAR \TAB ERECTED A CHURCH
AND A MANSE OR DWELLING HOUSE\PAR \TAB
FOR THE MINISTER TO BE APPOINTED TO
OFFICIATE\PAR \TAB AT THE SAID CHURCH A
PORTION OF WHICH GROUND LYING\PAR \TAB
TOWARD THE CENTRE OF THE SAID PIECE OF
GROUND AND A PON\PAR \TAB WHICH BOTH THE
SAID CHURCH AND MANSE HAVE BEEN
BUILT\PAR \TAB AS APPROPRIATED AS A
GARDEN BEING INCLOSED WITH STONE
WALLS\PAR \TAB ERECTED BY THE SAID
COMMISSIONERS AND THE REMAINDER\PAR
\TAB OF WHICH PIECE OF GROUND LYING BOTH
TO THE SOUTH AND NORTH\PAR \TAB OF THE
SAID GARDEN IS APPROPRIATED AS A GLEBE
FOR THE\PAR \TAB USE OF THE SAID MINISTER

WHICH PIECE OF GROUND INCLUDING\PAR \TAB
 THE SITE OF THE SAID CHURCH AND MANSE THE
 GARDEN\PAR \TAB AND THE GLEBE CONTAINED
 AN AREA OF \cf1 2 ACRES 3 ROODS\PAR \TAB
 19 FALLS AND ONE EL \cf2 OR THEREBY IN
 SCOTS LAND\PAR \TAB MEASURE LIES WHOLLY
 WITHIN THE SAID FARM OF \cf1
 GEARRIGHFADA\PAR \TAB\cf2 ON THE SOUTH
 SIDE OR RIGHT BANK OF THE RIVER \cf1
 KILMARTIN\PAR \TAB\cf2 WHICH IS THE
 BOUNDARY OF THE SAID PIECE OF LAND ON
 THE\PAR \TAB NORTH AND OPPOSITE TO THE
 FARM OF \cf1 STENSCHOLL \cf2 AND THE\PAR
 \TAB BOUNDERIES OF WHICH SO FAR AS NOT
 DESIGNATED BY THE STONE\PAR \TAB WALLS
 OF THE SAID GARDEN AND THE SAID RIVER OF
 KILMARTIN\PAR \TAB ARE MARKED ON THE
 SOUTH EAST AND WEST SIDES BY MARCH\PAR
 \TAB STONES INFIXED AND WHICH PIECE OF
 GROUND IS DESCRIBED\PAR \TAB ON A PLAN OR
 SKETCH MADE BY \cf1 MR JOSEPH MITCHELL
 SURVEYOR\PAR \TAB\cf2 EMPLOYED BY THE
 SAID COMMISSIONERS AND SUBSCRIBED BY ME
 AS\PAR \TAB RELATIVE TO THESE PRESENTS
 AND IS PART AND PORTION OF\PAR \TAB MY
 SAID FARM OF \cf1 GEARRIGHFADA \cf2 LYING
 IN THE \cf1 ISLAND OF SKYE\PAR \TAB\cf2
 WITHIN THE BARONY OF \cf1 MACDONALD \cf2
 PARISH OF \cf1 KILMUIR\PAR \TAB\cf2
 LORDSHIP OF THE ISLES AND SHERIFFDOM OF
 INVERNESS\PAR \TAB TOGETHER WITH THE
 LANDS PARSONAGE AND VICARAGE\PAR \TAB
 OF THE SAID PIECE OF GROUND HEREBY
 CONVEY AND\PAR \TAB ALL MY RIGHT TITLE AND
 INTEREST IN AND TO THE SAID\PAR \TAB
 SUBJECT AND EVERY PART THEREOF WITH FREE
 ISH AND\PAR \TAB ENTRY TO THE SAID PIECE OF
 GROUND HEREBY DISPONED\PAR \TAB AND
 WITH THE PRIVILIGE TO THE MINISTER OF \cf1
 STENSCHOLL\PAR \TAB\cf2 OR \cf1

GEARRIGHFADA\cf2 AND HIS SUCCESSORS IN OFFICE OF\PAR \TAB CUTTING WINNING AND CARVING AWAY PEATS FROM\PAR \TAB ONE OF THE MOSSES IN THE CONVENIENT NEIGHBOURHOOD\PAR \TAB BELONGING TO ME AND ALSO WITH THE PRIVILEGE OF\PAR \TAB GRAZING HIS HORSE AND TWO COWS UPON ONE OF THE\PAR \TAB FARMS IN THE CONVENIENT NEIGHBORHOOD BELONGING\PAR \TAB TO ME AS THE SAME SHALL BE FIXED FOR THE TIME BEING\PAR \TAB BY ME AND MY FORESAIDS AND SHALL BE POINTED OUT BY OUR\PAR \TAB CHAMBERLAIN TO HOLD TO THE SAME COMMISSIONERS OR SUCH\PAR \TAB PERSON OR PERSONS AS THEY SHALL APPOINT TO BE DEVOTED\PAR \TAB FOR EVER TO THE PURPOSES SPECIFIED IN AND BY VIRTUE\PAR \TAB OF AND ACCORDING TO THE TRUE INTENT AND MEANING\PAR \TAB OF THE SAID ACT PASSED IN THE FIFTH YEAR OF THE REIGN\PAR \TAB OF HIS PRESENT MAJESTY AND I THE SAID \cf1 LORD MACDONALD\cf2\PAR \TAB BIND AND OBLIGE MY SELF AND THE HEIRS OF ENTAIL\PAR \TAB SUCCEEDING TO ME IN THE SAID BARONY OF MACDONALD\PAR \TAB TO FREE AND RELIEVE THE SAID SUBJECTS BEFORE DISPONED\PAR \TAB OF ALL CESS MINISTERS STIPEND SCHOOLMASTERS SALARY\PAR \TAB FEU DUTY AND ALL OTHES PUBLIC AND PAROCHIAL BURDENS\PAR \TAB FROM AND AFTER THE TERM OF WHITSUNDAY 1828\PAR \TAB WHICH IS HEREBY DECLARED TO HAVE BEEN THE TERM\PAR \TAB OF THE SAID COMMISSIONERS ENTRY TO THE PREMISES\PAR \TAB AND FURTHER IN RESPECT THAT IT IS NECESSARY\PAR \TAB THAT EFFECTUAL PROVISION SHOULD BE MADE FOR THE\PAR \TAB REPAIR OFSUCH PLACES OF WORSHIP AND DWELLING\PAR \TAB HOUSES AND PREMISES

THERETO ATTACHED AFTER THEY\PAR \TAB SHALL HAVE BEEN BUILT OR PROVIDED SO IT IS BY\PAR \TAB THE EIGHTEENTH SECTION OF THE SAID RECITED\PAR \TAB ACT ENACTED THAT WITH RESPECT TO EVERY SUCH\PAR \TAB ADDITIONAL PLACE OF WORSHIP THE HERITOR OR ANY\PAR \TAB TWO OF THE HERITORS APPLYING FOR THE SAME HIS OR\PAR \TAB THEIR HEIRS AND SUCCESSORS IN THE LANDS SITUATED\PAR \TAB WITHIN THE DISTRICT FOR WHICH SUCH ADDITIONAL PLACE\PAR \TAB OF WORSHIP SHALLBE SET APART TO BE SPECIFIED AND\PAR \TAB DESCRIBED FOR THAT PURPOSE SHALL BY SUCH APPLICATION\PAR \TAB BE AND BECOME BOUND TO KEEP AND MAINTAIN SUCH\PAR \TAB ADDITIONAL PLACE OF WORSHIP IN GOOD AND SUFFICIENT\PAR \TAB REPAIR TO THE EXTENT HEREIN AFTER LIMITED THAT IS\PAR \TAB TO SAY PROVIDED ALWAYS THAT THE PRESENT OF SUCH ADDITIONAL\PAR \TAB PLACE OF WORSHIP SHALL BE APPLIED TOWARDS THE REPAIR\PAR \TAB OF SUCH ADDITIONAL PLACE OF WORSHIP AND ALSO OF THE\PAR \TAB DWELLING HOUSE AND OFFICES OF THE MINISTER IN FIRST\PAR \TAB INSTANCE UNDER THE DIRECTION OF THE SURVEYOR\PAR \TAB APPOINTED BY THE COMMISSIONERS AND IN DEFAULT OF\PAR \TAB HIS GIVING SUCH DIRECTIONS DURING ONE WHOLE\PAR \TAB YEAR THEN UNDER THE DIRECTIONS OF THE HERITOR OR\PAR \TAB HERITORS UNDERTAKING FOR THE REPAIR OF SUCH ADDITIONAL\PAR \TAB PLACE OF WORSHIP OF THE MINISTER AND OF THE OFFICIATING\PAR \TAB ELDERS WHO ARE ALSO HEREBY EMPOWERED TO GIVE DIRECTION\PAR \TAB FOR SMALL REPAIRS AT ANY TIME WHEN REQUISITE AND PROVIDED\PAR \TAB FURTHER THAT AFTER THE APPLICATION OF THE PEW RENTS THE\PAR \TAB EXPENSE TO BE DEFRAIDED BY THE SAID HERITOR OR

HERITORS \PAR \TAB SO APPLYING HIS OR
THEIRHEIRS AND SUCCESSORS AS \PAR \TAB
AFORESAID SHALL NOT IN ANY ONE YEARS
EXCEED THE SUM OF \PAR \TAB ONE PER
CENTUM UPON THE AMOUNT OF THE MONEY
ORIGINALLY\PAR \TAB EXPENDED IN THE
BUILDING OR PURCHASING AND
COMPLETING\PAR \TAB SUCH ADDITIONAL
PLACE OF WORSHIP OR IN CASE OF GIFT OF
ANY\PAR \TAB BUILDING FOR THAT PURPOSE IN
LIKE MANNER NOT EXCEEDING\PAR \TAB ONE
PER CENTUM UPON THE ORIGINALVALUE OF THE
SAME AS\PAR \TAB ESTIMATED BY THE
SURVEYOR OF THE COMMISSIONERS TO\PAR
\TAB WHICH EXTENT AND NO FURTHER THE SAID
HERITOR OR\PAR \TAB HERITOR SHALL BE
COMPELLABLE TO REPAIR THE SAME IN\PAR
\TAB SUCH MANNER AS HERITORS ARE
COMPELLABLE BY LAW\PAR \TAB TO REPAIR
PARISH CHURCHS IN SCOTLAND BUT IT IS
FURTHER\PAR \TAB ENACTED THAT THE PEW
RENTS AS BEFORE MENTIONED SHALL\PAR \TAB
ALSO BE SET APART AND APPLIED TO A CERTAIN
EXTENT TO \PAR \TAB THE REPAIR OF THE
MINISTERS DWELLING HOUSE AND OFFICES\PAR
\TAB AS WELL AS TO THE REPAIR OF THE SAID
ADDITIONAL PLACE\PAR \TAB OF WORSHIP
THEREFOR I THE SAID LORD MACDONALD DO
CONFESS\PAR \TAB AND DECLARE THAT IN
RESPECT OFMY HAVING BEEN THE
APPLYING\PAR \TAB HERITOR FOR THE SAID
ADDITIONAL PLACE OF WORSHIP AT \PAR \TAB
STENSCHOLL THE FOLLOWING PARTS AND
PORTIONS OF MY LANDS\PAR \TAB AT LEAST SO
MUCH THEREFOR AS SHALL BE FOUND TO LYE
WITHIN\PAR \TAB THE DISTRICT TO BE SET
APART FOR THE SAID ADDITIONAL\PAR \TAB
PLACE OF WORSHIP TOGETHER WITH ANY
OTHER LANDS BELONGING\PAR \TAB TO ME

WHICH SHALL BE FOUND TO LYE WITHIN THE DISTRICT TO \PAR \TAB BE SET APART FOR THE SAID ADDITIONAL PLACE OF WORSHIP\PAR \TAB ARE UNDER THE SAID ACT OF PARLIAMENT BURDENED AND\PAR \TAB AFFECTED IN THE PERSONS OF ME AND MY HEIRS OF ENTAIL\PAR \TAB IN THE SAID LANDS IN A REAL BURDEN IS ERECTED THEREON\PAR \TAB IN FAVOUR OF THE SAID COMMISSIONER BY AND THROUGH THE\PAR \TAB OBLIGATION TO KEEP AND MAINTAIN THE SAID ADDITIONAL\PAR \TAB PLACE OF WORSHIP IN GOOD AND SUFFICIENT REPAIR IN THE\PAR \TAB MANNER WHICH IS IN THE SAID ACT OF PARLIAMENT\PAR \TAB PROVIDED VIZ... ALL AND WHOLE THE SAID FARMS OF\PAR \TAB\cf1 GARRIGHFADA \cf2 AND \cf1 STENSCHOLL \cf2 PARTS OF THE LANDS AND BARONY\PAR \TAB OF \cf1 MACDONALD \cf2 PARISH OF \cf1 KILMUIR WESTER \cf2 AND SHERIFFDOM\PAR \TAB OF INVERNESS AND IN FURTHER CORROBORATION OF THE SAID\PAR \TAB OBLIGATION I DO BY THESE PRESENTS BEND AND OBLIGE\PAR \TAB MYSELF AND MY HEIRS AND SUCCESSORS AND SPECIALLY\PAR \TAB MY HEIRS AND SUCCESORS IN THE LANDS SITUATED WITHIN\PAR \TAB THE DISTRICT TO BE SET APART FOR THE SAID ADDITIONAL\PAR \TAB PLACE OF WORSHIP TO KEEP AND MAINTAIN THE SAID\PAR \TAB ADDITIONAL PLACE OF WORSHIP IN GOOD AND SUFFICIENT\PAR \TAB REPAIR TO THE EXTENT LIMITED AND AS PROVIDED BY THE SAID\PAR \TAB ACT OF PARLIAMENT THE MAXIMUM IN ANY ONE YEAR BEING IN THE \PAR \TAB PRESENT CASE ONE PER CENTUM UPON THE SUM OF SEVEN HUNDRED\PAR \TAB AND FIFTY POUNDS STERLING BEING THE AMOUNT OF THE MONEY\PAR \TAB ORIGINALLY EXPENDED IN BUILDING THE SAID CHURCH AND I\PAR \TAB DO

FURTHER BEND AND OBLIGE MYSELF AND MY FORESAIDS \PAR \TAB TO GRANT SUBSCRIBE AND DELIVER AT THE EXPENSE OF THE SAID \PAR \TAB COMMISSIONERS AND OTHER OBLIGATION DEED OR OTHER WRITING \PAR \TAB WHICH THEY MAY REQUIRE OR DEMAND FOR BETTER OR MORE \PAR \TAB EFFECTUALLY CONVEYING THE SAID PIECE OF GROUND AND OTHER \PAR \TAB TO THE SAID COMMISSIONERS AND CONFIRMING THE SAID \PAR \TAB OBLIGATION HEREIN CONTAINED AGAINST ME MY HEIRS \PAR \TAB AND SUCCESSORS AND SPECIALLY MY HEIRS AND SUCCESSORS \PAR \TAB IN THE LANDS SITUATED WITHIN THE SAID DISTRICT DECLARING \PAR \TAB ALWAYS AS IT IS HEREBY EXPRESSLY PROVIDED AND DECLARED \PAR \TAB THAT NOTHING CONTAINED IN THE PRECEDING OBLIGATION SHALL \PAR \TAB INFER AN IRRITANCY AGAINST ME OR MY FORESAIDS UNDER THE \PAR \TAB ENTAIL OF SAID LANDS AND BARONY OF \cf 1 MACDONALD \cf 2 NOR \PAR \TAB BE CONSTRUED TO AFFECT OR BURDEN THE LANDS BEFORE \PAR \TAB DESCRIBED FOR THE PURPOSE OF THE REPAIR OF THE SAID \PAR \TAB PLACE OF WORSHIP IN ANY MANNER INCONSISTENT \PAR \TAB WITH THE CONDITIONS OF THE SAID ENTAIL EXCEPT IN SO FAR AS \PAR \TAB I AM AUTHORISED TO GRANT THE SAID OBLIGATION TO THE \PAR \TAB EFFECT FORESAID BY AND THROUGH THE BEFORE RECITED \PAR \TAB ACT OF PARLIAMENT AND WITH AND UNDER WHICH PROVISION \PAR \TAB AND DECLARATION THE FORESAID OBLIGATION IN \PAR \TAB SO FAR AS AFFECTS THE SAID ENTAILED ESTATE OR ANY PART OF IT \PAR \TAB IS GRANTED AND NO OTHERWISE AND I CONSENT TO THE \PAR \TAB REGISTRATION HEREOF IN THE GENERAL OR PARTICULAR \PAR

\TAB REGISTER OF SASINES FOR PUBLICATION
AND IN THE BOOKS OF\PAR \TAB COUNCIL AND
SESSION FOR PRESERVATION AND THAT
ALL\PAR \TAB NECESSARY EXECUTION MAY
PASS HEREON IN FORM AS EFFECTS\PAR \TAB
AND FOR THAT PURPOSE CONSTITUTE MY
PROCURATORS\PAR \TAB AND IN WITNESS
WHEREOF I HAVE SET MY HAND TO THESE \PAR
\TAB PRESENTS WRITTEN APON THIS AND THE
TWO PRECEDING\PAR \TAB PAGES OF STAMPED
PAPER BY \cf1 JAMES HATTON \cf2 CLERK
TO\cf1\PAR \TAB JAMES HOPE\cf2 WRITER TO
THE SIGNET TOGETHER WITH\PAR \TAB THE
MARGINAL NOTE ON PAGE THIRD HEREOF ALSO
WRITTEN\PAR \TAB BY THE SAID \cf1 JAMES
HATTON \cf2 AT EDINBURGH THE TWENTY\PAR
\TAB SECOND DAY OF DECEMBER EIGHTEEN
HUNDRED AND TWENTY\PAR \TAB EIGHT
BEFORE THESE WITNESSES \cf1 EDWARD
HILLMAN \cf2 FOOTMAN\PAR \TAB AND \cf1
L.HALLMAN\cf2 UNDER BUTLER TO ME THE
SAID \cf1 LORD\PAR \TAB MACDONALD \cf2
SIGNED \cf1 MACDONALD EDWARD HILLMAN
\cf2 WITNESS\PAR \TAB\cf1 L.HALLAM \cf2
WRITEN BY \cf1 A.RUSSELL.\PAR
\PARD\cf0\PAR }

30 JOSEPH WILLIAM FORBES

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}{\F1\FSWISS\FCHARSET0 ARIAL;}}{\COLORTBL ;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE128;\RED0\GREEN0\BLUE255;}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\CF1\F0\F5 16 ASSIGNATION BY SIR JAMES SUTHERLAND MACKENZIE BT TO JOSEPH WILIAM FORBES ESQ EDINBURGH 5TH SEPTEMBER 1851 \PAR I SIR JAMES SUTHERLAND MACKENZIE OF TARBAT BARONET PRESENTLY RESIDING IN LONDON CONSIDERING THAT I AM INDEBTED TO JOSEPH WILLAIM FORBES ESQUIRE PRESENTLY RESIDING AT HARTFIELD COTTAGE NEAR TAIN IN THE SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AS CONTAINED IN MY PROMISSORY NOTE TO HIM OF EQUAL DATE WITH THESE PRESENTS AND PAYABLE TWELVE MONTHS AFTER DATE AND ALSO CONSIDERING THAT AS A CONDITION OF THE SAID JOSEPH WILLIAM FORBES ADVANCING THE FORESAID SUM TO ME IT WAS AGREED THAT I SHOULD GRANT TO HIM THE ASSIGNATION UNDER WRITTEN THEREFOR AND FOR THE SAID JOSEPH FORBES HIS FARTHER SECURITY OF THE PAYMENT OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AND INTEREST THEREON AND EXPENCES AS AFTER STATED THEREBY MAKE AND CONSTITUTE THE SAID JOSEPH WILLIAM FORBES AND HIS HEIRS EXECUTORS OR ASSIGNEES MY LAWFUL SESSIONERS AND ASSIGNES NOT ONLY IN AND TO THE SUM OF THREE THOUSAND THREE HUNDRED AND

NINETEEN POUNDS AND FIVE PENCE ONE THIRD OF A PENNY STERLING CONTAINED IN A BOND DATED THE NINETEENTH DAY OF FEBRUARY AND EIGHTEENTH DAY OF MARCH BOTH IN THE YEAR EIGHTEEN HUNDRED AND THIRTY FIVE GRANTED BY JOHN HAY MACKENZIE OF CROMARTY ESQUIRE ONLY SON OF THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND THE SAID MRS MARIA MURRAY HAY MACKENZIE TO THE DECEASED SIR ALEXANDER MACKENZIE OF TARBAT BARONET MY FATHER WHOM FAILING TO THE PARTIES THEREIN MENTIONED AND TO WHICH I HAVE NOW THE RIGHT AND TO THE INTEREST DUE OR THAT MAY BECOME DUE THEREON FROM AND AFTER THE TERM OF WHITSUNDAY LAST WITH LIQUIDATE PENALTY AND TERMLY FAILURES THEREIN SPECIFIED AND ALSO IN AND TO THE SUM OF ONE THOUSAND AND FIFTY POUNDS STERLING CONTAINED IN AND DUE BY A BILL DRAWN BY JOSEPH GORDON WRITER TO THE SIGNET AND ALEXANDER STUART WRITER IN EDINBURGH FOR BEHOOF OF ME AND THE HEIRS SUCCEEDING TO ME AS THEREIN STATED UPON AND ACCEPTED BY MESSIEURS J.R.BOWINE AND COMPANY PEAK ALUM WORKS THOMAS RYMER BOWINE ESQUIRE AND CHARLES LIDDEL ESQUIRE NEAR WHITBY CONJUNCTLY AND SEVERALLY WHICH BI IS DATED THE TWELVE DAY OF MAY EIGHTEEN HUNDRED AND FORTY SEVEN AND IS PAYABLE TWELVE MONTHS AFTER DATE BUT ALSO IN AND TO THE SAID BOND AND BILL THEMSELVES WHOLE TENOR AND CONTENTS THEREOF WITH ALL THAT BHAS FOLLOWED OR IS COMPETENT TO FOLLOW THEREON SURROGATING AND SUBSTITUTING THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS IN MY FULL RIGHT AND PLACE OF THE PREMISES WITH FULL POWER TO HIM AND THEM TO DEMAND SUE FOR AND RECOVER

PAYMENT OF THE SUMS THEREBY DUE TO GRANT RECEIPTS AND DISCHARGE WHICH SHALL BE SUFFICIENT TO THE RECEIVER AND ASSIGNATIONS TRANSLATIONS AND CONVEYANCES OF THE SAID BOND AND BILL ON PAYMENT THEREOF BEING RESPECTIVELY MADE AND GENERALLY TO DO EVERY OTHER THING IN THE PREMISES WHICH I COULD HAVE DONE BEFORE GRANTING HEREOF WHICH ASSIGNATION I BIND AND OBLIGE MYSELF MY HEIRS EXECUTORS AND SUUCCESSORS TO WARRANT TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS FROM ALL FACTO AND DEEDS DONE OR TO BE DONE BY ME IN PREJUDICE HEREOF DECLAIRING ALWAYS THAT THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS SHALL BE BOUND AND OBLIGED AS BY ACCEPTATION HEREOF THEY BIND AND OBLIGE THEMSELVES TO HOLD JUST COUNT AND RECKONING WITH ME AND MY FORESAIDS SUMS THEY MAY RECOVER IN VIRTUE OF THE SAID BOND AND BILL RESPECTIVELLY ABOVE ASSIGNED AND TO IMPUTE THE SAME PROTANTO IN EXTINCTION OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING INTEREST WHICH MAY BECOME DUE THEREON AND EXPENCES WHICH MAY BE INCURRED BY THEM AS AFTER STATED AND FARTHER DECLARING THAT THEY SHALL BE BOUND AND OBLIGED ON THEIR RECEIVING PAYMENT IN VIRTUE OF THIS ASSIGNATION IN SECURITY OF THE WHOLE OF THE SUMS OF PRINCIPAL INTEREST AND EXPENCES AS SAID IS OR ON PAYMENT BY ME OR MY FORESAIDS TO THEM OF THE SAME AND OF ALL EXPENCES AS THE SAME MAY BE DISBURSED OR INCURRED BY THEM TO THEIR OWN AGENTS IN RECOVING PAYMENT OF THE FORESAID PRINCIPAL SUM AND INTEREST WHICH MAY BECOME DUE THEREON AND AS THE

SAME SHALL BE ASCERTAINED BY THEIR WRIT OR OATH TO ME AND MY FORESAIDS AT OUR EXPENSE IN THE FULL RIGHT OF THE BOND AND BILL SUMS THEREBY DUE ASSIGNED IN SECURITY AS AFORESAID OR TO MAKE PAYMENT TO US OF ANY BALANCE THAT MAY REMAIN IN THEIR HANDS AFTER DEDUCTING THE SAID SUMS AND I BIND AND OBLIGE MYSELF AND MY FORESAIDS TO MAKE THE SAID BOND AND BILL FORTHCOMING TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS TO BE KEPT AND USED BY THEM AS THEIR OWN PROPER WRITS AND EVIDENTS IN TIME COMING AND I CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND SESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION AND IF NECESSARY THAT LETERS OF HORNING ON SIX DAYS CHARGE AND ALL OTHER LEGAL EXECUTION MAY PASS UPON A DECREET TO BE INTERPONED HERETO IN FORM AS EFFECTS AND FOR THAT EFECT I CONSTITUTE MY PROCURATORS IN WITNESS WHEREOF I HAVE SUBSCRIBBED THESE PRESENTS WRITEN ON THIS AND THE PRECEDING PAGE OF STAMPED PAPER BY ALEXANDER DAVIDSON VEITCH APPRENTICE TO WILIAM MASON SOLICITORS SUPREME COURT EDINBURGH AND HERETO SET AND AFFIXED MY SEAL AT LONDON THE TWENTY THIRD DAY OF SEPTEMBER EIGHTEEN HUNDRED AND FIFTY YEARS BEFORE THESE WITNESSES HENRY VALLANCE ESQUIRE SOLICITOR IN LONDON AND JOHN NEWSHAM HIS CLERK THE PLACE AND DATE OF SIGNING AND SEALING AND WITNESSES NAMES AND DESIGNATION BEING WRITTEN BY THE SAID JOHN NEWSHAM SIGNED \cf2 JAMES SUTHERLAND MACKENZIE SIGNED SEALED DELIVERED IN PRESENCE J.VALLANCE, SPER AND SHAND LONDON, IN. NEWSHAM HIS CLERK WITNESS\PAR \cf3 EDINBURGH 12

OCTOBER 1850 ON THE PART OF MESSR BOWINE COMPANY WE ACKNOWLEDGE INTIMATION TO USE THIS INSTRUMENT PURPORTING TO BE AN ASSIGNATION OF CERTAIN SUMS CONSTITUTING THE RESIDUE OF THE PRICE OF THE ENTAILED ESTATE OF ROYSTON WE ARE NOT TO BE HELD AS ADMITTING THAT THE GRANTER HEIR ANY RIGHT TO THE SUMS ASSIGNED BEYOND HIS LIFE INTEREST AS PRESENT HEIR UNDER THEY ROYSTON ENTAIL OR THAT THIS ASSIGNMENT PRECLUDED MESSR BOWINE AND COMPANY FROM PAYING OF THEIR BILL ON DUE NOTICE
\PAR SIGNED\cf 1 GORDON STUART CHEYNE EDINBURGH 12 OCTOBER 1850 ON BEHALF OF THE MARCHIONESS OF STAFFORD AND THE HONOURABLE MRS HAY MACKENZIE WE HOLD THIS ASSIGNATION AS DULY INTIMATED TO THEM. WALKER AND MELVILLE.\F 1 \Fs20\PAR }

31 JOHN HAY MACKENZIE

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{\RTF 1 \ANSI \ANSICPG 1252 \DEFF0 \DEFLANG 1033{\FONTTBL{\F0 \FSWISS \FCHARSET0 ARIAL;}}{\COLORTBL;\RED255 \GREEN0 \BLUE0; \RED0 \GREEN0 \BLUE255; \RED0 \GREEN0 \BLUE0; \RED255 \GREEN0 \BLUE255;}{\ * \GENERATOR MSFTEDIT
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5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20
RELIEF ASSIGNATION BY SIR JAMES
SUTHERLAND MACKENZIE IN FAVOUR OF
MESSEURS GORDON STUART AND CHEYNE 1848
B32 NO6\PAR I SIR JAMES SUTHERLAND
MACKENZIE OF TARBAT BARONET
CONSIDERING THAT A CLAIM OF DEBT HAS BEEN
ESTABLISHED AGAINST ME UNDER CERTAIN
LEGAL PROCEEDINGS BY MRS JANE KING OF
THE QUEENS HOTEL CLIFFORD STREET LONDON
AMOUNTING TO TWO HUNDRED AND NINETEN
POUNDS STERLING AND IT HAS WITH MY
CONCENT AND APPROBATION BEEN ARRANGED
BETWEEN MESSEURS WEIR AND GARDNEI
WRITERS TO THE SIGNET IN EDINBURGH AS\cf1
AGENTS FOR MRS KING ON THE ONE PART\cf2
AND MESSEURS GORDON STUART AND CHEYNE
WRITERS TO THE SIGNET MY AGENT ON THE
OTHER PART\cf3 THAT THE SAID DEBT SHALL
BE PAID OFF BY INSTALMENTS FROM THE
INTEREST DUE AND PAYABLE TO ME BY JOHN
HAY MACKENZIE ESQUIRE AND THE
HONOURABLE MRS MARIA MURRAY HAY
MACKENZIE OF CROMARTY ON THEIR \cf4 JOINT
BOND TO MY LATE BROTHER SIR ALEXANDER
MACKENZIE OF TARBAT BARONET\cf3 AND TO
WHICH I HAVE NOW RIGHT AS PRESENT HEIR OF
ENTAIL UNDER A DEED OF ENTAIL OF THE
BARONY OF ROYSTON EXECUTED BY GEORGE
VISCOUNT OF TARBAT AFTERWARDS EARL OF
CROMARTY FOR THE SUM OF THREE THOUSAND
THREE HUNDRED AND NINETEEN POUNDS AND
FIVE PENCE STERLING BEING THE BALANCE OF
THE PRICE OF THE SAID ESTATE OF ROYSTON
SOLD UNDER THE AUTHORITY OF AN ACT OF
PARLIAMENT FOR PAYMENT OF THE ENTAILED
DEBTS IN THE HANDS OF THE SAID
HONOURABLE MRS MARIA MURRAY HAY
MACKENZIE AND JOHN HAY MACKENZIE AS
HEIRS OF ENTAIL OF THE ESTATE OF CROMARTY

ON WHICH ESTATE THE SAID BALANCE IS DECLARED TO BE A REAL BURDEN BY A DECREE OF THE COURT OF SESSION THE SAID INTEREST OF THE SAID SUM AT PRESENT AT THE RATE OF FIVE PER CENT PER ANNUM BEING PAYABLE TO ME DURING MY LIFE HALF YEARL AT THE TERMS OF WHITSUNDAY AND MARTINMAS BY EQUAL PORTIONS THE SAID ARRANGEMENT BEING THAT FROM THE INTEREST OF THE SAID BOND WHICH BECAME DUE AT AND PRIOR TO LAST WHITSUNDAY EIGHTY FIVE POUNDS STERLING OF THE SAID DEBT SHALL BE IMMEDIATELY PAID OFF LEAVING A BALANCE DUE BY ME OF ONE HUNDRED AND THIRTY FOUR POUNDS AND FOR THE LIQUIDATION OF WHICH BALANCE DUE BY ME OF ONE HUNDRED AND THIRTY FOUR POUNDS AND FOR THE LIQUIDATION OF WHICH BALANCE THERE SHALL BE PAID ONE HALF OF THE TERMLY INTERESTS TO BECOME DUE TO ME AS AFORESAID AT THE TERM OF MARTINMAS IN THIS PRESENT YEAR EIGHTEEN HUNDRED AND FORTY EIGHT AND AT EACH TERM OF WHITSUNDAY AND MARTINMAS THEREAFTER UNTIL THE SAID DEBT WITH PROGRESSIVE INTEREST THEREON BE FULLY PAID AND EXTINGUISHED WHICH PAYMENTS THE SAID MESSEURS GORDON STUART AND CHEYNE HAVE GUARANTEED SHALL BE PUNCTUALLY MADE TO THE SAID MRS KING AND HER AGENTS ON CONDITION OF MY GRANTING THESE PRESENTS IN MANNER UNDER WRITTEN THEREFOR I HAVE MADE AND CONSTITUTED AS I DO HEREBY MAKE AND CONSTITUTE JOSEPH WRITER TO THE SIGNET ALEXANDER STUART CIRCUIT CLERK OF JUDICIARY AND HENRY CHEYNE WRITER TO THE SIGNET CO-PARTNERS CARRING ON BUSINESS UNDER THE SAID FIRM OF GORDON STUART AND CHEYNE MY CESSIONERS AND ASSIGNEES IN

AND TO THE SAID ANNUAL INTEREST OF THE SAID SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS AND FIVE PENCE PAYABLE TO ME BY THE SAID HONORABLE MRS MARIA MURRAY HAY MACKENZIE AND JOHN HAY MACKENZIE HALF YEARLY AS AFORESAID FOR THEIR EFFECTUAL RELIEF OF THEIR SAID GUARANTEE ENGAGEMENT AND FURTHER I HEREBY CONSTITUTE AND APPOINT THE SAID MESSEURS GORDON STUART AND CHEYNE MY AGENTS AND FACTORS TO CALL FOR UPLIFT AND RECEIVE FROM THE SAID HONORABLE MRS MARIA MURRAY HAY MACKENZIE AND JOHN HAY MACKENZIE ESQUIRE THE SAID HALF YEARLY INTEREST AT EACH TERM AYE AND UNTIL THE SAID DEBT BE PAID AND THEY BE RELEASED AND ACQUITTED OF THEIR SAID GUARANTEE ENGAGEMENT THEY BEING BOUND BY ACCEPTANCE HEREOF TO ACCOUNT TO ME FOR THE OTHER HALF OF THE SAID INTEREST AND TO PRODUCE TO ME THE RECEIPTS OF MRS KING OR HER AGENTS FOR THE HALF TO BE PAID TO HER AND I CONCENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL CESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION AND THAT ALL NECESSARY EXECUTION MAY PASS ON A DECREE TO BE INTERPONED HERETO IN COMMON FORM AND THERETO CONSTITUTE MY PROCURATORS AND IN WITNESS WHEREOF THESE PRESENTS WRITTEN ON THIS SHEET OF STAMPED PAPER BY JAMES BUINS CLERK TO THE SAID MESSEURS GORDON STUART AND CHEYNE WRITERS TO THE SIGNET ARE SUBSCRIBED BY ME AT NUMBER EIGHT CRAIGS COURT LONDON THE TWENTY FOURTH DAY OF JULY EIGHTEEN HUNDRED AND FORTY EIGHT BEFORE THESE WITNESSES JAMES WINDOWS PUBLIC NOTARY CRAIGS COURT AFORESAID AND GEORGE MACKENZIE OF THE

SAME PLACE GENTLEMAN\PAR SIGNED JAMES
WINDOWS GEORGE MACKENZIE J S
MACKENZIE\CF0\PAR }

32 SIR JAMES S. MACKENZIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\
FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}
{*\GENERATOR MSFTEDIT
5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20
ASSIGNATION BY SIR JAMES SUTHERLAND
MACKENZIE BT TO JOSEPH W. FORBES ESQ.\PAR
REFERENCE GD 305 1 133 NO 8 YEAR 1850\PAR
\PAR I SIR JAMES SUTHERLAND MACKENZIE OF
TARBAT BARONET PRESENTLY RESIDING IN
LONDON CONSIDERING THAT I AM INDEBTED TO
JOSEPH WILLIAM FORBES ESQUIRE PRESENTLY
RESIDING AT HARTFIELD COTTAGE NEAR TAIN IN
THE SUM OF SIX HUNDRED AND SIXTY POUNDS
STERLING AS CONTAINED IN MY PROMISSORY
NOTE TO HIM OF EQUAL DATE WITH THESE
PRESENTS AND PAYABLE TWELVE MONTHS
AFTER DATE AND ALSO CONSIDERING THAT AS A
CONDITION OF THE SAID JOSEPH WILIAM
FORBES ADVANCING THE FORESAID SUM TO ME
IT WAS AGREED THAT I SHOULD GRANT TO HIM
THE ASSIGNATION UNDERWRITTEN THEREFORE
AND FOR THE SAID JOSEPH WILLIAM FORBES
HIS FARTHER SECURITY OF THE PAYMENT OF
THE FORESAID SUM OF SIX HUNDRED AND SIXTY
POUNDS STERLING AND INTEREST THEREON
AND EXPENSES AS AFTER STATED I HEREBY
MAKE AND CONSTITUTE THE SAID JOSEPH
WILLIAM FORBES AND HIS HEIRS EXECUTORS
OR ASSIGNEES MY LAWFUL CESSIONERS AND
ASSIGNEES NOT ONLY IN AND TO THE SUM OF
THREE THOUSAND THREE HUNDRED AND
NINETEEN POUNDS AND FIVE PENCE ONE THIRD
OF A PENNY STERLING CONTAINED IN A BOND

DATED THE NINETEENTH DAY OF FEBRUARY AND EIGHTEENTH DAY OF MARCH BOTH IN THE YEAR EIGHTEEN HUNDRED AND THIRTY FIVE GRANTED BY JOHN HAY MACKENZIE OF CROMARTY ESQUIRE ONLY SON OF THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND THE SAID MRS MARIA MURRAY HAY MACKENZIE TO THE DECEASED SIR ALEXANDER MACKENZIE OF TARBAT BARONET MY FATHER WHOM FAILING TO THE PARTIES THEREIN MENTIONED AND TO WHICH I HAVE NOW THE RIGHT AND TO THE INTEREST DUE OR THAT MAY BECOME DUE THEREON FROM AND AFTER THE TERM OF WHITSUNDAY LAST WITH THE LIQUIDATE PENALTY AND TERMLY FAILURES THEREIN SPECIFIED AND ALSO IN AND TO THE SUM OF ONE THOUSAND AND FIFTY POUNDS STERLING CONTAINED IN AND DUE BY A BILL DRAWN BY JOSEPH GORDON WRITER TO THE SIGNET AND ALEXANDER STUART WRITER IN EDINBURGH FOR BEHOOF OF ME AND THE HEIRS SUCCEEDING TO ME AS THEREIN STATED UPON AND ACCEPTED BY MESSIEURS J.R.BOWINE AND COMPANY PEAK ALUM WORKS THOMAS RYMER BOWINE ESQUIRE AND CHARLES LIDDELL ESQUIRE NEAR WHITBY CONJUNCTLY AND SEVERALLY WHICH BILL IS DATED THE TWELFTH DAY OF MAY EIGHTEEN HUNDRED AND FORTY SEVEN AND IS PAYABLE TWELVE MONTHS AFTER DATE BUT ALSO IN AND TO THE SAID BOND AND BILL THEMSELVES WHOLE TENOR AND CONTENTS THEREOF WITH ALL THAT HAS FOLLOWED OR IS COMPETENT TO FOLLOW THEREON SURROGATING AND SUBSTITUTING THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS IN MY FULL RIGHT AND PLACE OF THE PREMISES WITH FULL POWER TO HIM AND THEM TO DEMAND SUE FOR AND RECOVER PAYMENT OF THE SUMS THEREBY DUE TO GRANT RECEIPTS AND DISCHARGES

WHICH SHALL BE SUFFICIENT TO THE RECEIVER AND ASSIGNATION TRANSLATIONS AND CONVEYANCES OF THE SAID BOND AND BILL ON PAYMENT THEREOF BEING RESPECTIVELY MADE AND GENERALLY TO DO EVERY OTHER THING IN THE PREMISES WHICH I COULD HAVE DONE BEFORE GRANTING HEREOF WHICH ASSIGNATION I BIND AND OBLIGE MYSELF MY HEIRS EXECUTORS AND SUCCESSORS TO WARRANT TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS FROM ALL FACTS AND DEEDS DONE OR TO BE DONE BY ME IN PREJUDICE HEREOF DECLARING ALWAYS THAT THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS SHALL BE BOUND AND OBLIGED AS BY ACCEPTATION HEREOF THEY BIND AND OBLIGE THEMSELVES TO HOLD JUST COUNT AND RECKONING WITH ME AND MY FORESAIDS FOR WHATEVER SUMS THEY MAY RECOVER IN VIRTUE OF THE SAID BOND AND BILL RESPECTIVELY ABOVE ASSIGNED AND TO IMPUTE THE SAME PRO TANTO IN EXTINCTION OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING INTEREST WHICH MAY BECOME DUE THEREON AND EXPENCES WHICH MAY BE INCURRED BY THEM AS AFTER STATED AND FARTHER DECLARING THAT THEY SHALL BE BOUND AND OBLIGED ON THEIR RECEIVING PAYMENT IN VIRTUE OF THIS ASSIGNATION IN SECURING OF THE WHOLE OF THE SUMS OF THE PRINCIPAL INTEREST AND EXPENCES AS SAID IS OR ON PAYMENT BY ME OR MY FORESAIDS TO THEM OF THE SAME AND OF ALL EXPENSES AS THE SAME MAY BE DISBURSED OR INCURRED BY THEM TO THEIR OWN AGENTS IN RECOVERING PAYMENT OF THE FORESAID PRINCIPAL SUM AND INTEREST WHICH MAY BECOME DUE THEREON AND AS THE SAME SHALL BE ASCERTAINED BY THEIR WRIT OR OATH TO

RETROCESS ME AND MY FORESAIDS AT OUR
EXPENCE IN THE FULL RIGHT OF THE BOND AND
BILL AND SUMS THEREBY DUE ASSIGNED IN
SECURITY AS AFORESAID OR TO MAKE PAYMENT
TO US OF ANY BALANCE THAT MAY REMAIN IN
THEIR HANDS AFTER DEDUCTING THE SAID
SUMS AND I BIND AND OBLIGE MYSELF AND MY
FORESAIDS TO MAKE THE SAID BOND AND BILL
FORTHCOMING TO THE SAID JOSEPH WILLIAM
FORBES AND HIS FORESAIDS TO BE KEPT AND
USED BY THEM AS THEIR OWN PROPER WRITS
AND EVIDENTS IN TIME COMING AND I CONSENT
TO THE REGISTRATION HEREOF IN THE BOOKS
OF COUNCIL AND SESSION OR OTHERS
COMPETENT THEREIN TO REMAIN FOR
PRESERVATION AND IF NECESSARY THAT
LETTERS OF HORNING ON SIX DAYS CHARGE
AND ALL OTHERS LEGAL EXECUTION MAY PASS
UPON A DECREET TO BE INTERPONED HERETO
IN FORM AS EFFEIRS AND FOR THAT EFFECT I
CONSTITUTE MY PROCURATORS IN WITNESS
WHEREOF I HAVE SUBSCRIBED THESE
PRESENTS WRITTEN ON THIS AND THE
PRECEDING PAGE OF STAMPED PAPER BY
ALEXANDER DAVIDSON VEITCH APPRENTICE TO
WILLIAM MASON SOLICITORS SUPREME COURT
EDINBURGH AND HERETO SET AND AFFIXED MY
SEAL AT LONDON THE TWENTY THIRD DAY OF
SEPTEMBER EIGHTEEN HUNDRED AND FIFTY
YEARS BEFORE THESE WITNESSES HENRY
VALLANCE ESQUIRE SOLICITOR IN LONDON AND
JOHN NEWSHAM HIS CLERK THE PLACE AND
DATE OF SIGNING AND SEALING AND
WITNESSES NAMES AND DESIGNATION BEING
WRITTEN BY THE SAID JOHN NEWSHAM\PAR
SIGNED SEALED AND DELIVERED IN PRESENCE
OF J.VALLANCE SOLICITOR 20 SPER THE
STRAND LONDON\PAR JOHN NEWSHAM HIS
CLERK WITNESS\PAR JAMES SUTHERLAND
MACKENZIE\PAR }

33 KENNETH MACKENZIE MILITARY MAN

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MSFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20 SCOTTISH RECORD OFFICE REFERENCE C22/92 CROSS REFERENCED TO C24/92 ORIGINAL RETOUR MONTHLY NO 6.\PAR \PAR THIS ENQUIRY WAS HELD IN THE COURT CURIA OF THE VICE-COUNTY OF EDINBURGH IN THE HOUSE OF THE SUPERIOR COUNCIL OF THE SAID BURG TOWN ON THE 17TH DAY OF THE MONTH OF JANUARY A.D. 1798 17-1-1798 BEFORE JAMES

CLERK ARMIGERO ADVOCATO VICECOMITE
DEPUTY MILITARY ADVOCATE-COUNTY DEPUTY
OF THE SAID VICE-COUNTY SPECIALLY
CONSTITUTED BY THESE HONEST PROVEN AND
FAITHFUL MEN OF THE FATHERLAND BELOW
WRITTEN VIZ MR WILLIAM RICHARDSON
SOLICITOR AT LAW OF THE CHANCERY OF
EDINBURGH MESSRS JOHN EISTON WILLIAM
SCOTT WILLIAM SPROTT ALEXANDER NEILSON
EDWARD YOUNG JAMES TEGGANS OR FEGGANS
JOHN WOOD JOHN ORMSTON JOHN GRAY
ANDREW CROMBIE ALEXANDER PONTON
DONALD GRASSICK ROBERT TENNENT AND
JAMES ROBERTSON ALL SOLICITORS AT LAW OF
THE SAME PLACE THESE HAVING BEEN SWORN
IN ON OATH MAGNO SACRAMENTO
INTERVENIENTE DECLARED THAT A CERTAIN
KENNETH MCKENZIE MILITARY MAN ARMIGER
LATELY OF CROMARTY WHO WAS THE
LEGITIMATE ELDEST SON OF THE DEFUNCT
CAPTAIN RODERICK WHO WAS THE LEGITIMATE
SECOND SON OF THE ALSO DEFUNCT JOHN
EARL OF CROMARTY WHO WAS THE LEGITIMATE
ELDEST SON OF GEORGE VICE-COUNT OF
TARBAT LATER EARL OF CROMARTY DIED AD
FIDEM ET PACEM OF OUR SOVEREIGN LORD THE
KING NOW REIGNING \PAR AND THAT THE
LIEUTENANT-COLONEL ROBERT MCKENZIE IN
THE SERVICE OF THE HONOURABLE EAST INDIA
COMPANY OF MERCHANTS IS THE ELDEST
LEGITIMATE SON LIVING OF THE DEFUNCT
ALEXANDER MCKENZIE LATELY OF ARDLOCH
WHO WAS THE LEGITIMATE ELDEST SON OF THE
ALSO DEFUNCT JOHN MCKENZIE OF ARDLOCH
WHO WAS THE LEGITIMATE ELDEST SON OF THE
ALSO DEFUNCT ALEXANDER MCKENZIE WHO
WAS LEGITIMATE SON OF LORD JOHN MCKENZIE
OF TARBAT AND GERMAIN BROTHER OF THE
SAID GEORGE VICE-COUNT OF TARBAT AND
LATER VICE-COUNT OF CROMARTY BOTH OF

WHOM ARE ALSO DEAD IS THE LEGITIMATE AND NEAREST MALE HEIR TO THE TALLIA ET PROVISIONIS OF THE SAID KENNETH MCKENZIE LATELY OF CROMARTY WHO WAS HEIR DESERVITUS ET RESTORNATUS OF LORD KENNETH MCKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS OF LORD GEORGE MCKENZIE DE GRANDVILLE HIS ELDEST BROTHER WHO WAS ELDEST SON OF LORD KENNETH MCKENZIE OF CROMARTY LEGITIMATE SECOND SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BY VIRTUE OF AND ACCORDING TO THE DISPOSITION AND CHARTER OF TALLIA CONTAINING THE SUBSTITUTION PROVISIONS CONDITIONS IRRITANT CLAUSES AND REOLUTIONS THEREIN SPECIFIED WHICH WAS MADE AND GRANTED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD MCLEOD AND CASTLEHAVEN AND LATER EARL OF CROMARTY GIVEN ON THE 28TH DAY OF NOVEMBER A.D. 1688 BY WHICH FOR REASONS THEREIN MENTIONED HE GAVE AND DISPOSED ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING PARTICULAR LANDS AND OTHER THINGS THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MR JAMES MCKENZIE HIS THIRD LEGITIMATE SON LATER LORD JAMES MCKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSIONS AND TO HIS LEGITIMATE MALE HEIRS BEGOTTEN OF HIS BODY WHO FAILING TO THE ABOVE MENTIONED LORD KENNETH MCKENZIE OF CROMARTY THEREIN DESIGNATED AS MR KENNETH MCKENZIE SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE MALE HEIRS LEGITIMATE BEGOTTEN OF HIS BODY FAILING WHICH TO THE SAID JOHN EARL OF CROMARTY THEREIN DESIGNATED AS JOHN MASTER OF

TARBAT ELDEST LEGITIMATE SON OF THE SAID VICE-COUNT AND TO HIS MALE HEIRS BEGOTTEN OR TO BE BEGOTTEN OF HIS BODY WHO FAILING TO THE OTHER MALE HEIRS LEGITIMATELY BEGOTTEN OR TO BE BEGOTTEN OF THE BODY OF THE SAID NOBLE VICE-COUNT HIMSELF FAILING WHICH TO ANY OTHER PERSON OR PERSONS BY HIM NOMINATED IN THE MANNER MENTIONED IN THE CHARTER OF TALLIE FAILING WHICH TO THE HEIRS AND ASSIGNS OF THE SAID VICE-COUNT WHOMSOEVER IN INHERITANCE AND IRREVOCABLY THAT THEREFOR SINCE MALE HEIRS FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT AND MAKER FORMATOR OF THE SAID TALLIA ARE NOW DEFICIENT AND DEFUNCT BY THE DEATH OF THE SAID KENNETH MCKENZIE LATE ARMIGER OF CROMARTY AND NO PERSON OR PERSONS WERE NAMED TO THE SUCCESSION BY THE SAID VICE-COUNT IMMEDIATELY AFTER THE DEFECTION OF MALE HEIR BEGOTTEN OF HIS BODY BY THE TERMS OF THE SAID POWERS AND FACULTIES AND AS THE SAID ALEXANDER MCKENZIE GREAT-GRAND-FATHER OF THE SAID COLONEL ROBERT MCKENZIE WAS ONLY GERMAIN BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT MAKER OF THE SAID TALIA FROM WHOSE BODY MALE HEIRS ARE NOW IN EXISTENCE THE SAID COLONEL ROBERT MCKENZIE PRESENTER OF THE PRESENT PLEA IS THE MALE HEIR TO THE SAID VICE-COUNBT AND ENTITLED TO THE SAID SUCCESSION UNDER THE SAID CHARTER OF TYALLIA IN THE TERMS DIRECTIVES AND SUBSTITUTIONS ABOVE-WRITTEN FOR THE DISPOSAL OF THE SAID LANDS AND BARONY TO THE MALE HEIRS OF THE SAID GEORGE VICE-COUNT OF TARBAT WHOMSOEVER AND THAT HE IS OF LEGITIMATE LEGAL AGE IN CUJUS REI IN WITNESS THERETO THE SEAL OF THOSE

INVOLVED IN THIS ENQUIRY WITH THE BRIEF OF
THE KING DULY EXECUTED AND THE SEAL OF
THE COMMUNE WITH THE SIGN MANUAL OF
JAMES NEWBIGGING PRINCIPAL ARMIGER
CLERK OF THE SAID VICE-COUNTY SPECIALLY
CONSTITUTED ARE APPENDED TO THE
PRESENTS SIGNED JAMES NEWBIGGING 6TH
FEBRUARY 1798.\PAR }

34 GEORGE SACKWELL SUTHERLAND MD

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{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{
\FONTTBL{\F0\FSWISS\FPRQ2\FCHARSET0
IMPACT;}}{\COLORTBL
;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;
\RED0\GREEN0\BLUE255;}{\*\GENERATOR
MSFTEDIT
5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs16\PAR
AR\PAR GR 12 8 INVERNESS 13/3/1871\PAR DR
\cf1 ADAM HUNTER SURGEON EDINBURGH\cf2
HAD 2 UNGATES OF LAND EXTENDING TO 8
MERKS TROTTERNISH ONCE BELONGING TO
MCNEIL OF BARRA PART OF THE ESTATE OF
MACDONALD DR ADAM HUNTER CERTIFICATE
FOR THE COMMITAL OF SIR JAMES SUTHERLAND
MACKENZIE BROTHER OF ALEXANDER
MACKENZIE BARONET OF THE 48TH NATIVE
INFANTRY BENGAL WHOS MOTHER IS
KATHARINE MACKENZIE AND BY HER BELOW
PETITION CLAIMS CURATOR BONIS AND
APPOINTS ALEXANDER PETITION CLAIMS
CURATOR BONIS AND APPOINTS ALEXANDER
STUART TO OFFICE OF JAMES S. MACKENZIE
UNTO THE RIGHT HONOURABLETHE LORDS OF
COUNCIL AND SESSION\PAR cs2361mnm58/20
1843 THE PETITION OF MRS KATHARINE
MACKENZIE RELICT OF HONOURABLE THE EAST
INDIA COMPANY MOTHER OF SIR JAMES
SUTHERLAND MACKENZIE OF TARBET
BARONET\TAB HUMBLY SHEWETH \PAR
\TAB\PAR THAT THE SAID SIR JAMES
SUTHERLAND MACKENZIE HAVING SOME
MONTHS AGO EXHIBITED UNEQUIVOCAL
SYMPTONS OF MENTAL DERANGEMENT TO AN
EXTENT DANGEROUS TO HIMSELF AND TO THE
LIEGES WAS BY WARRANT OF THE SHERIFF OF
EDINBURGH PROCEEDING ON CERTIFICATION
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UNDER THE HANDS OF DR ABERCROMBIE AND DR ADAM HUNTER PLACED IN DR JOHN SMITHS ASYLUM AT SAUGHTON HALL WHERE HE NOW REMAINS UNDER THE NECESSARY RESTRAINT THAT FROM THE CERTIFICATES HEREWITH PRODUCED IT APPEARS THAT ALTHOUGH THE SAID SIR JAMES SUTHERLAND MACKENZIE HAS SINCE HIS RESIDENCE IN SAUGHTON HALL BECOME LESS VIOLENT AND IRRITABLE THAN HE WAS YET THAT HE STILL LABOURS UNDER SUCH REMAINS OF ABBERATION OF MIND AS RENDERS HIM UNFIT FOR BEING AT LARGE OR FOR MANAGING HIS OWN AFFAIRS AND THE PETITIONER HAS THE DISTRESS AND MORTIFICATION TO \PAR BELIEVE THAT HIS SPEEDY RESTORATION TO MENTAL SOUNDNESS CANNOT BE LOOKED FOR.\PAR THAT IN THESE CIRCUMSTANCES AND AS HIS INTEREST IS SUFFERING FROM A SMALL PENSION FROM THE EAST INDIA COMPANY BEING TILL A DULY AUTHORIZED PARTY BE APPOINTED TO RECEIVE AND DISCHARGE THE SAME IT HAS BECOME NECESSARY FOR THE PROTECTION OF THE SIR JAMES SUTHERLAND MACKENZIES PROPERTY AS WELL AS THE DUE CARE OF HIS PERSON TO APPLY TO YOUR LORDSHIPS TO APPOINT A CURATOR BONIS TO HIM AND THE PETITIONER BEGS LEAVE HUMBLY TO SUGGEST MR ALEXANDER STUART WRITER IN EDINBURGH WHO WAS HER SONS CONFIDENTIAL AGENT BEFORE HIS AFFLICTION AS AN ELIGIBLE PERSON FOR THE OFFICE \PAR THE PETITIONER THEREFOR MAKES THE PRESENT APPLICATION MAY IT THEREFOR PLEASE YOUR LORDSHIPS TO NOMINATE AND APPOINT THE SAID ALEXANDER STUART TO BE CURATOR BONIS TO THE SAID SIR JAMES SUTHERLAND MACKENZIE WITH THE USUAL POWERS AND IN TERMS OF THE ACT OF SEDERUNT THE SAID APPOINTMENT TO SUBSIST

UNTIL UNTIL IT BE COMPETENTLY RECALLED
ANDS THE CURATOR IT FINDING SUFFICIENT
CAUTION BEFORE EXTRACT OR TO DO
OTHERWISE IN THE PREMISES AS TO YOUR
LORDSHIPS SHALL SEEM PROPER. ACCORDING
TO JUSTICE & C \cf 1 JOHN
GORDON\cf 2\TAB\PAR \TAB \PAR
APPENDIX\PAR MANDATE BY MRS KATHARINE
MACKENZIE TO JOSEPH GORDON\PAR JOSEPH
GORDON W.S. EDINBURGH ELGIN
24/2/1843\PAR \PAR MY DEAR SIR IN
CONSEQUENCE OF THE LAMENTABLE STATE OF
INCAPACITY INTO WHICH MY SON SIR JAMES
SUTHERLAND MACKENZIE BART HAS FALLEN I
AM UNDER THE PAINFUL NECESSITY OF
REQUESTING THAT FOR THE PRESERVATION
AND MANAGEMENT OF HIS PROPERTY AS WELL
AS PROVIDING FOR THE PROPER CARE OF HIS
PERSON YOU PRESENT APPLICATION TO THE
COURT OF SESSION FOR THE APPOINTMENT OF
A CURATOR BONIS TO HIM WITH THE USUAL
POWERS IF MR ALEXANDER STUART CIRCUIT
CLERK OF JUDICIARY WILL UNDERTAKE THE
OFFICE I REQUEST THAT HE MAY BE SUGGESTED
TO THE COURT AS A PERSON IN WHOM I HAVE
THE UTMOST CONFIDENCE AND WHOM I
CONSIDER WELL QUALIFIED TO TAKE THE
CHARGE I AM MY DEAR SIR YOUR MOST
OBEDIENT HUMBLE SERVANT SIGNED \cf 3
KATHARINE MACKENZIE\cf 2\PAR \TAB\PAR
\PAR \cf 3 CERTIFICATE BY DR ABERCROMBIE
AND DR ADAM HUNTER EDINBURGH
23/11/1842 WE JOHN ABERCROMBIE AND DR
ADAM HUNTER PHYSICIANS IN EDINBURGH
HEREBY CERTIFY ON SOUL AND CONSCIENCE
THAT WE HAVE VISITED AND DULY EXAMINED
SIR JAMES SUTHERLAND MACKENZIE OF
TARBET BARONET NOW RESIDING AT SAUGHTON
HALL LUNATIC ASYLUM UNDER THE CHARGE OF
DR SMITH AND FOUND HIM LABOURING UNDER

SUCH MENTAL IMBECILITY AS TO RENDER HIM FOR THE PRESENT INCAPABLE OF MANAGING HIS OWN AFFAIRS SIGNED JOHN ABERCROMBIE ADAM HUNTER M.D. CERTIFICATE BY DR ABERCROMBIE AND DR HUNTER WE CERTIFY APON SOUL AND CONSCIENCE THAT WE HAVE VISITED AND EXAMINED SIR JAMES SUTHERLAND MACKENZIE NOW RESIDENT IN THE ASYLUM AT SAUGHTON HALL AND WHILE WE FIND HIM CONSIDERABLY IMPROVED SINCE THE DATE OF OUR LAST REPORT WE ARE OF OPINION THAT HE STILL LABOURS UNDER SUCH REMAINS OF ABBERATION OF MIND FOR THE PRESENT RENDERS HIM UNFIT FOR BEING AT LARGE OR FOR MANAGING HIS OWN AFFAIRS SIGNED JOHN ABERCROMBIE ADAM HUNTER M.D. EDINBURGH 10/3/1843 PETITION TO BE INTIMATED IN THE MINUTE BOOK SIGNED BOYLE EDINBURGH 22/5/1843 THEREBY CERTIFY THAT THE FOREGOING PETITION HAS BEEN DULY INTIMATED IN THE MINUTE BOOK JOSEPH GORDON HUGH ROSS. CS 235/INM/MISCM 1 1. 1 1720 ALEXANDER MACKENZIE HAD IN THIS DEED REFERENCE THE BARONY OF TROTTERNISH ISLE OF SKYE AND IT IS THIS ALEXANDER MACKENZIE OF CONANS BAY WHO IS GRAND UNCLE TO TO SIR JAMES SUTHERLAND MACKENZIE WHOS DOCTOR HAD THE 2 UNGATES TROTTERNISH SKYE. THAT ALXANDER MACKENZIE OF ARDLOCH BORN 1692 ARDLOCH MARRIED MARGARET SUTHERLAND 16/09/1732 DEED REFERENCE RD4. 232 MARGARET SUTHERLAND DAUGHTER OF ROBERT SUTHERLAND OF LANGWELL 12TH IN DESCENT FROM WILLIAM DE SUTHERLAND AND PRINCESS MARGARET BRUCE SISTER OF DAVID 1 1 ROBERT SUTHERLAND CAN BE ENQUIRED AT REFERENCE CS238 H 1 1.27 AND OF LANGWELL HEIR TO ESTHER SUTHERLAND HIS

GRANDMOTHER. ALEXANDER MACKENZIE OF
ARDLOCH DIED 21.05.1778 AND IS BROTHER TO
COLONEL ALEXANDER MCKENZIE OF
CONANSBAY HE HAD TITLE TO LANDS IN
TROTTERNISH ISLAND OF SKYE REFERENCED IN
CS235.M1 1.2 AN UNEXTRACTED COURT OF
SESSION EXTRACT OF 1719 IN THE COSMO
INNESS OFFICE AND FURTHER REFERENCES IN
DEED RD2.654 YEAR 1661 AND ANOTHER IN
RD_81. 78 1696 ALSO DETAILS OF
RELATIONSHIPS IN SIG.2.17 DATED 6 AUGUST
1787 CONCERNING LANDS IN ASSYNT
DESTINATION FROM THESE PREDECESSORS IN
RD2.242.1. BY WILLIAM WEMYSS TO ALEXANDER
MACKENZIE DATED 29.01.1787 AND IN RH8.1 100
DATED 1727 FURTHER INFORMATION RELATING
TO LAND DEVOLMENT FROM ARDLOCH
MACKENZIES HEIRS MALE OF TALZIE. IT IS
NOTICED THAT BROTHERS COLONEL
ALEXANDER MCKENZIE OF CONANSBAY AND
ALEXANDER MACKENZIE OF ARDLOCH WHO
DIED 21.5.1778 ARE BROTHERS TO KENNETH
MACKENZIE XV 1 4TH EARL OF SEAFORTH ONE
OF THE BROTHERS JOHN MACKENZIE OF
ASSYNTS HEIR, HIS SON TO HIS UNCLE FIRST
HELD BY SIR DONALD MCDONALD, LANDS
TROTTERNISH 13.02.1727 IN THE GREAT SEAL
BARONY OF MCDONALD 10.12.1754 IN FAVOUR
OF SIR DONALD MCDONALD BARONET.\PAR
\PAR \PAR \PAR RS38.62 INVERNESSA
DISPOSITION BY HANNAH FRASER RESIDING
INVERNESS INFAVOUR OF JEAN MACKAY
SUTHERLAND SISTER TO ELIZABETH BAILLIE
SUTHERLAND SPOUSE OF LT.COL.JAMES
SUTHERLAND OF UPPAT AND JEAN MCKAY
SUTHERLAND A RELATION OF ELIZABETH
BAILLIE WHOS NEPHEW IS JAMES SUTHERLAND
MACKENZIE\cf2\PAR \TAB\PAR \TAB\PAR
\TAB\PAR IN CS 239 M78. 7 JAMES SUTHERLAND
MACKENZIE SON OF KATHARINE MACKENZIE

WHO LIVED 7 INDIA STREET EDINBURGH COURT
LITIGATION OF THE USE OF ARMORIAL ARMS
USED BY JAMES SUTHERLAND MACKENZIE
BELONGING TO HIS MOTHER KATHARINE
SUTHERLAND.\PAR \PAR \TAB\PAR \PAR
\TAB\PAR \TAB\PAR \PAR \TAB\PAR \PAR
\TAB\PAR \CF0\LANG1033 GEORGE SACKVILLE
SUTHERLAND MENTIONS 3 NEPHEWS IN RD5
382.180 DATED 12/3/1829 SRO EDINBURGH
GEORGE THE BROTHER OF COLONEL JAMES
SUTHERLAND OF UPPAT AND EWEN BAILLIE
WHO WAS A MAJOR GENERAL 23RD BENGAL
REGIMENT AND THE OTHER BROTHER ROBERT
SUTHERLAND WHO WAS MARRIED TO A
MURCHISON HER BROTHER KNOWN AS ROD
ERICK MURCHISON GEORGE SACKVILLE
SUTHERLAND NEPHEWS ARE DUNCAN FORBES
SUTHERLAND GEORGE MCKAY SUTHERLAND
AND JAMES SUTHERLAND WHO WAS MARRIED
TO GEORGINA M. MACKENZIE WHERE SERVICE
1875 IS REFERENCED IN ENCLOSED
ATTACHMENT.COLONEL JAMES SUTHERLAND
MARRIED INTO THE BAILLIES, ELIZABETH
BAILLIE OF CLYNE WHOS FATHER IS WILLIAM
BAILLIE OF ROSEHALL, WILLIAM MARRIED
ELIZABETH SUTHERLAND OF CLYNE A
KINSTARIE CADET SHE IS DAUGHTER OF
ALEXANDER SUTHERLAND OF CLYNE.
LT.COL.JAMES SUTHERLAND HAD KATHARINE
SUTHERLAND BORN 09/01/1773 GOLSPIE
SUTHERLAND WHO MARRIED COLONEL ROBERT
MCKENZIE COLONEL ROBERT MARRIED EARLIER
ON 01/05/1780 HARRIET ANN MACKENZIE
DAUGHTER OF DOCTOR ALEXANDER
MACKENZIE OF BAYFIELD IT WAS HARRIETS
SISTER ALEXIE MACKENZIE WHO MARRIED
JANUARY 1778 TO CAPTAIN SIMON BAILLIE,
MADRAS ESTABLISHMENT, HEIC AND HE IS SON
OF MAJOR WILLIAM BAILLIE AND CAN FIND IN

THE COMMISSARIOT OF EDINBURGH PROCESS
OF DIVORCE PAGE 883 19.03.1788 REFERENCE
X1X 12. ROBERT SUTHERLAND OF ST VINCENT IS
BROTHER TO KATHARINE SUTHERLAND AND
ARE PART BAILLIES ROSEHALL DESCENT,
ROBERT SUTHERLANDS GRANDFATHER IS SON
OF ALEXANDER BAILLIE OF DOCHFUR. ROBERT
SUTHERLANDS ELDER BROTHER GEORGE
SACKVILLE SUTHERLAND AND REFERENCED IN
CHANCERY REGISTER UNDER LISTING C5/1/35
GREAT SEAL. \PAR \TAB\TAB\TAB\PAR
\CF2\LANG2057\PAR \TAB\PAR
GD.305.1.62.2\PAR INSTRUMENT OF SASINE
PROCEEDING APON A PRECEPT IN THE
FOREGOING CHARTER IN FAVOUR OF THE SAID
KATHERINE MACKENZIE OF THE SAID TENEMENT
MILLMOUNT DATED AND RECORDED SASINES
EDINBURGH. SCOTTISH RECORD OFFICE.\PAR
\PAR GD.305.1.62.3\PAR EXTRACT DISPOSITION
BY KATHERINE SUTHERLAND/MACKENZIE IN
FAVOUR OF CROMARTY HEIRS AND THE
TENEMENT MILLMOUNT DATED 10.07.1840 AND
REGISTERED IN THE BOOKS OF COUNCIL AND
SESSION 05.08.1840 CONTACT REFERENCE
RD5.645.63. SCOTTISH RECORD OFFICE.\PAR
\PAR GD.305.1.62.7.\PAR RENUNCIATION BY
HENRY CHEYNE WS IN FAVOUR OF THE
FORESAID KATHERINE MACKENZIE OF
MILLMOUNT DISPOSITION GRANTED BY HER TO
HIM IN SECURITY FOR \ 'A31350 FOR MILLMOUNT
HOUSE DATED 28.06.1840 AND RECORDED
GENERAL REGISTER OF SASINES EDINBURGH
20.07.1840. SEE REFERENCE RS38.2040.113
SASINE SCOTTISH RECORD OFFICE.\PAR \PAR
GD.305.1.62.6\PAR RENUNCIATION BY
ALEXANDER STEWART IN FAVOUR OF JOSEPH
GORDONFACTOR FOR THE DECEASED ROBERT
SUTHERLAND A BOND IN SECURITY DATED
19.07.1826 RECORDED GENERAL REGISTER OF
SASINES EDINBURGH 08.05.1840.\PAR \PAR

BOOKS COUNCIL AND SESSION \PAR DEED
RECORDED 12.03.1829 BY ROBERT
SUTHERLAND. SCOTTISH RECORD OFFICE
EDINBURGH. \PAR \PAR RD5.576.520 \PAR TRUST
BY ELIZABETH BAILIE SUTHERLAND 1831.
SCOTTISH RECORD OFFICE EDINBURGH. \PAR
\PAR RD5.405.415. \PAR ASSIGNMENT BY EWEN
BAILLIE UTHERLAND 25.01.1830. SCOTISH
RECORD OFFICE EDINBURGH. \PAR \PAR
RD5.319.132 \PAR FACTORY BY ROBERT
SUTHERLAND 02.11.1824. SCOTTISH RECORD
OFFICE EDINBURGH. \PAR \PAR
RD5.382.174. \PAR FACTORY BY ROBERT
SUTHERLAND SUBSCRIBED 14.09.1824.
SCOTTISH RECORD OFFICE EDINBURGH. \PAR
\PAR BOOKS OF COUNCIL AND SESSION. \PAR
DEED BY ROBERT SUTHERLAND OF ST VINCENT
RECORDED 15.07.1826 SCOTTISH RECORD
OFFICE EDINBURGH. \PAR \PAR
GD.305.1.61.8. \PAR INSTRUMENT OF SASINE
PROCEEDING APON THE PRECEPT OF SASINE IN
FAVOUR OF THE SAID ROBERT SUTHERLAND OF
THE HOUSE AND GROUND MILLMOUNT DATED
24.12.1822 RECORDED SASINES EDINBURGH
21.01.1823 AND IN RS3.1262.260 SASINE
SCOTTISH RECORD OFICE EDINBURGH. \PAR
\PAR GD.305.1.61.11. \PAR DISPOSITION AND
ASSIGNATION BY JOSEPH GORDON EXECUTORS
IN SCOTLAND OF THE SAID ROBERT
SUTHERLAND OF ST VINCENT AND MILLMOUNT
IN FAVOUR OF KATHERINE SUTHERLAND WIDOW
OF COLONEL ROBERT MACKENZIE H.E.I.C AND
HEIRS OF THE SAID TENEMENT DATED
21.01.1830 REGISTERED IN BOOKS OF COUNCIL
SESSION 12.03.1824 SCOTTISH RECORD OFFICE
EDINBURGH. \PAR \PAR PUBLIC REGISTER OF
SASINES PR.1801.149 REFERENCE \PAR MARY
FREDERICA ELIZABETH STEWART MACKENZIE
OF SEAFORTH SPOUSE TO JAMES ALEXANDER

STUART OF SEAFORTH SASINE MENTIONS
CASTLE STREET EDINBURGH IN SECURITY OF
\A3500 BY ELIZABETH SUTHERLAND. SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR PUBLIC
REGISTER OF SASINES.\PAR ELIZABETH
SUTHERLAND DATED 21.07.1797 AND
02.03.1809 AND 21.02.1810 RECORDED ALSO IN
THE BOOKS OF COUNCIL AND SESSION
10.03.1809. SCOTTISH RECORD OFFICE
EDINBURGH.\PAR \PAR PUBLIC REGISTER OF
SASINES.\PAR SOPHIA DIROM RELICT OF
GEORGE DUFF ON DISPOSITION BY ELIZABETH
SUTHERLAND RELICT OF COL JAMES
SUTHERLAND OF UPPAT 04.06.1811 SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS
OF COUNCIL AND SESSION.\PAR ST VINCENT
DEED RECORDED RD5.21.273 SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS
OF COUNCIL AND SESSION\PAR DEED BY
GEORGE SACKWELL SUTHERLAND
RD5.044.926\TAB 31.01.1814\TAB SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR PUBLIC
REGISTER OF SASINES\PAR RS38.17
VOLUME2307 IN FAVOUR OF KATHERINE
SUTHERLAND SCOTTISH RECORD OFFICE
EDINBURGH\PAR \PAR \PAR PUBLIC RECORD OF
SASINES\PAR PR.589.25 16.06.1807 FRANCIS,
LORD SEAFORTH, MARY MAXWELL
SUTHERLAND SPOUSE TO ALEXANDER
SUTHERLAND 2 BATTALION 78TH REGIMENT
FOOT AND GEORGE SACKWELL SUTHERLAND
SEISED GEORGE STREET EDINBURGH AND
SOUTH CASTLE STREET EDINBURGH IN \A3500
SECURITY SCOTTISH RECORD OFFICE
EDINBURGH.\PAR \PAR PUBLIC REGISTER OF
SASINES\PAR PR.589.17 DATED 16.06.1807
ELIZABETH SUTHERLAND RELICT OF JAMES
SUTHERLAND OF UPPAT SCOTTISH RECORD
OFFICE EDINBURGH.\PAR \PAR PUBLIC
REGISTER OF SASINE\PAR DATED 23.12.1803

BOND BY COLONEL JAMES SUTHERLAND AND ELIZABETH BAILLIE SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND SESSION\PAR DALRYMPLE OFFICE RD 293.290 MARY MAXWELL SUTHERLAND DAUGHTER OF LT.COL JAMES SUTHERLAND OF UPPAT AND HUSBAND ALEXANDER SUTHERLAND 5 REGIMENT BRITISH MILITIA AND REFERENCE TO MAJOR EWAN BAILIE H.E.I.C A BOND 12.07.1803 SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND SESSION\PAR RD2.288 DATED 12.07.1803 A BOND BY MAJOR EVAN BAILIE TO KATHERINE SUTHERLAND ELDEST DAUGHTER OF COLONEL JAMES SUTHERLAND OF UPPAT AND ELIZABETH BAILLIE AND KATHERINE SUTHERLAND SECOND WIFE OF LIEUTENANT COLONEL ROBERT MACKENZIE H.E.I.C FATHER OF ALEXANDER MACKENZIE BROTHER OF JAMES SUTHERLAND MACKENZIE. SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR RS38.17 DATED 23.12.1803\PAR COLONEL JAMES SUTHERLAND OF UPPAT AND OF SUTHERLAND FENCIBLES REGIMENT AND MAJOR GENERAL ALEXANDER OF 36 REGIMENT FOOT AND LT.COL.JAMES SUTHERLAND GRANTING \A31000 TO ELIZABETH SUTHERLAND TO FRANCIS, LORD SEAFORTH. SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND SESSION\PAR RD3.292 DATED 22.07.1801 FACTORY BY ROBERT SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\PAR PUBLIC REGISTER OF SASINE\PAR RS38.17.212 REFERENCE KATHERINE SUTHERLAND GETS LIFERENT FROM ELIZABETH BAILLIE SCOTTISH RECORD OFFICE EDINBURGH.\PAR \PAR PUBLIC REGISTER OF SASINES\PAR IN FAVOUR OF ELIZABETH BAILLIE DATED AND REGISTERED 13.08.1796 BY COLONEL MACKAY TO GEORGE

SACKWELL SUTHERLAND SCOTTISH RECORD
OFFICE EDINBURGH.\PAR \PAR BOOKS OF
COUNCIL AND SESSION\PAR RD2.277 DATED
26.11.1799 BOND \A31000 PAID BY
LIEUTENANT COLONEL JAMES MACKAY AND
HUGH BAILIE OF ROSEHALL TO JAMES
SUTHERLAND DATED 27.04.1789 AND MENTION
OF \A3400 TO F.H.MACKENZIE OF SEAFORTH
HIGHLANDERS 78TH REGIMENT FROM
LIEUTENANT ALEXANDER SUTHERLAND
SCOTTISH RECORD OFFICE EDINBURGH.\PAR
\PAR BOOKS OF COUNCIL AND SESSION\PAR
DURIE OFFICE RD3.292.907 FACTORY BY
ROBERT SUTHERLAND OF ISLAND OF ST
VINCENT APPOINTING ELIZABETH BAILLIE HIS
MOTHER AS FACTOR AND ESTATE OF ROSEHALL
GRANTED BY GEORGE LANGWELL SUTHERLAND
OF UPPAT IN FAVOUR OF ELIZABETH
BAILIE/SUTHERLAND SCOTTISH RECORD
OFFICE EDINBURGH.\PAR \PAR BOOKS OF
COUNCIL AND SESSION\PAR DARYMPLE OFFICE
RD2.277.418 DATED 06.09.1799 BOND
DISPOSITION A SUTHERLAND TO MACKENZIE
WITH CONCENT OF COLONEL MACKAY
OTHERWISE KNOWN AS HUGH BAILLIE OF
ROSEHALL BY BOND DATED 23.12.1790
SCOTTISH RECORD OFFICE EDINBURGH.\PAR
\PAR BOOKS OF COUNCIL AND SESSION\PAR
RD3.260.303 GEORGE SACKVILLE SUTHERLAND
TO JOHN MO SCOTTISH RECORD OFFICE
EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND
SESSION\PAR AT FORTROSE 19.11.1794 BY
MARY MAXWELL SUTHERLAND TO FRANCIS
HUMBERSTON MACKENZIE AND BY GEORGE
SACKWELL SUTHERLAND SCOTTISH RECORD
OFFICE EDINBURGH.\PAR \PAR PRECEPT OF
CLARE CONSTAT\PAR GRANTED BY COLONEL
MACKAY OTHERWISE HUGH BAILLIE OF
ROSEHALL REGISTERED INVERNESS 1796
SCOTTISH RECOR OFFICE EDINBURGH.\PAR

\PAR PUBLIC REGISTER OF SASINE\PAR RS38.13
DATED 14.08.1788 ROBERT SUTHERLAND TO
ELIZABETH COUNTES OF SUTHERLAND
RECORDED INVERNESS 11.09.1779 WRITTEN BY
KENNETH MACKENZIE CLERK TO ALEXANDER
MACKENZIE WRITER TO THE SIGNET \TAB
SUBSCRIBED AT GOLSPIE 31.07.1780 BEFORE
HUGH HOUSTON MERCHANT BORA AND JOH
FRASE WRITE IN EDINBURGH. SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR BOOKS
OF COUNCIL AND SESSION\PAR BOND RD3.275
DATED 23.12.1790 A SUM OF \A32000 AND
\A3400 TO GEORGE SACKWELL SUTHERLAND
SON OF LIEUTENANT COLONEL JAMES
SUTHERLAND REFERENCING IN THE \TAB GREAT
SEAL A CHARTER 13.07.1788 AND A SASINE
\TAB AT INVERNESS 28.04.1791 SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR
SERVICE OF HEIRS CHANCERY\PAR GEORGE
LACKWELL SUTHERLAND OF UPPAT TO HIS
FATHER LT.COL. JAMES SUTHERLAND OF UPPAT
DATED 03.01.1793 RECORD NO 16 DATE 1790
ON PAGE 48 SCOTISH RECORD OFFICE
EDINBURGH.\PAR \PAR BOOKS OF COUNCIL AND
SESSION\PAR DEED BY ROBERT SUTHERLAND
OF ST VINCENT RS38.13 PAGES
14,1092,230,317,340,349 AND 490 SCOTTISH
RECORD OFFICE EDINBURGH.\PAR \PAR
CROMARTY MUNIMENTS\PAR GD46.1.50 DATED
16.06.1829 MRS ELIZABETH SUTHERLAND
WIDOW OF LIEUTENANT COLONEL JAMES
SUTHERLAND OF UPPAT SCOTTISH RECORD
OFFICE EDINBURGH.\PAR \PAR SERVICE OF
HEIRS CHANCERY\PAR 1740-1759 DATED
15.05.1752 AND 18.09.1752 ELIZABETH BAILLIE
DAUGHTER OF JAMES BAILLIE MERCHANT
ABERDEEN TO HER BROTHER JAMES BAILLIE AT
MILLTOWN OF TARBET ONCE MERCHANT
ROTTERDAM WHO DIED MARCH 1747 HEIR

PORTION PARISH KILMUIR EASTER ROSSHIRE
SCOTTISH RECORD OFFICE EDINBURGH. \PAR
\PAR SERVICE OF HEIRS CHANCERY \PAR
GEORGE SACKVILLE SUTHERLAND OF UPPAT TO
HIS FATHER COLONEL JAMES SUTHERLAND OF
UPPAT 03.01.1793 AND 15.01.1793 NO 16
SCOTTISH RECORD OFFICE EDINBURGH. \PAR
\PAR \CF1 SERVICE OF HEIRS CHANCERY \PAR
GEORGE SACKVILLE SUTHERLAND MD
LACKNOW TO HIS MOTHER GEORGINA M.
MACKENZIE WIDOW OF JAMES SUTHERLAND OF
ST VINCENT WHO DIED 20.12.1864 HEIR
GENERAL 15.05.1875. \CF2 \PAR \PAR \TAB \PAR
\PAR \TAB \PAR \PAR \TAB \PAR \PAR \TAB \PAR
\PAR \TAB \PAR \PAR \TAB \PAR \PAR \TAB \PAR
\PAR \TAB \PAR \PAR \TAB \PAR \TAB \PAR \PAR
\PAR \PAR \PAR \TAB \PAR \PAR \TAB \PAR \PAR
\TAB \TAB \TAB \TAB \TAB \TAB \TAB \PAR \PAR
\TAB \PAR \TAB \PAR \PAR \PAR \TAB \PAR
\TAB \PAR \TAB \PAR \TAB \PAR \TAB \PAR
\TAB \PAR \TAB \PAR \TAB \PAR \TAB \PAR \PAR
\PAR \TAB \TAB \TAB \TAB \TAB \TAB \TAB \PAR
\PAR \TAB \CF3 \PAR \PAR
\TAB \TAB \TAB \TAB \TAB \TAB \PAR \PAR \TAB \PAR
\TAB \PAR \TAB \PAR \TAB \PAR \TAB \PAR
\TAB \PAR \TAB \PAR \TAB \PAR \PAR
\TAB \TAB \TAB \TAB \TAB \TAB \TAB \PAR
\TAB \TAB \TAB \TAB \TAB \TAB \TAB \PAR
\TAB \TAB \TAB \TAB \TAB \TAB \TAB \PAR
\TAB \PAR \PAR \TAB \PAR \TAB \PAR \TAB \PAR
\PAR \TAB \PAR \PAR \TAB \PAR \TAB \PAR \PAR
\TAB \TAB \TAB \TAB \TAB \TAB \PAR \PAR
\TAB \TAB \TAB \TAB \TAB \TAB \TAB \PAR \PAR
\PAR \TAB \PAR \TAB \PAR \TAB \PAR \TAB \PAR
\TAB \PAR

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\PAR }

35 CHANCERY BRIEF

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20 C26/6 REFERENCE CHANCERY DIVISION A BRIEF REGISTERED TO THE SCOTTISH RECORD OFFICE\PAR \PAR GENERAL SERVICE OF ALEXANDER MACKENZIE HEICS TO SIR KENNETH MACKENZIE 1826\PAR GREAT GRANDSON OF THE FATHER OF\PAR \PAR BRIEF FOR ALEXANDER MACKENZIE PRESENTLY IN THE MILITARY SERVICE OF THE HONORABLE EAST INDIA COMPANY ELDEST LAWFUL SON OF THE DECEASED COLONEL ROBERT MACKENZIE

OF THE SAME SERVICE WHO WAS ELDEST
LAWFUL SURVIVING SON OF ALEXANDER
MACKENZIE OF ARDLOCH THE ELDEST LAWFUL
SON OF JOHN MACKENZIE OF ARDLOCH WHO
WAS ELDEST LAWFUL SON OF ALEXANDER
MACKENZIE OF ARDLOCH YOUNGER BROTHER
GERMAN OF SIR GEORGE MACKENZIE OF
TARBAT BARONET AFTERWARDS VISCOUNT
TARBAT LORD MCLEOD AND CASTLEHAVEN AND
EARL OF CROMARTY ELDEST SON OF SIR JOHN
MACKENZIE OF TARBAT AS NEAREST AND
LAWFUL HEIR MALE IN GENERAL OF SIR
KENNETH MACKENZIE SECOND LAWFUL SON OF
KENNETH MACKENZIE AFTERWARDS DESIGNED
SIR KENNETH SECOND LAWFUL SON OF THE
SAID SIR GEORGE MACKENZIE OF TARBAT
BARONET AFTERWARDS VISCOUNT TARBAT
LORD MCLEOD AND CASTLEHAVEN AND EARL
OF CROMARTY IN AND CONFORM TO THE
DESTINATION IN TERMS OF A ROYAL CHARTER
OR PATENT 29 APRIL 1704 OF THE TITLE OF
BARONET OF NOVA SCOTIA IN FAVOUR OF THE
SAID KENNETH MACKENZIE SECOND LAWFUL
SON OF THE SAID SIR GEORGE MACKENZIE OF
TARBAT BART AFTERWARDS VISCOUNT TARBAT
LORD MCLEOD AND CASTLEHAVEN AND EARL
OF CROMARTY AND HIS HEIRS MALE FOR EVER
\PAR SHERIFF OF ROSS\PAR }

36 COLIN MACKENZIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\B\F0\FS1 6\TAB RD 13/149/BOX657. DATE 31/JULY 1809\PAR \TAB DISPOSITION AND DEED OF SETTLEMENT BY COLONEL ROBERT MACKENZIE\PAR \TAB 26 NOVEMBER 1802 WB OFFICE 31/07/1809\PAR \TAB PRESENTED BY JOSEPH GORDON\PAR \TAB MR THOMAS THOMSON ADVOCATE 5 SHEETS.\PAR \PAR \PAR \TAB I COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE EAST \PAR \TAB INDIA COMPANY FOR THE LOVE FAVOUR AND AFFECTION WHICH I HAVE AND\PAR \TAB BEAR TO ALEXANDER MACKENZIE MY SON PROCREATED OF THE MARRIAGE\PAR \TAB BETWEEN ME AND MRS KATHARINE SUTHERLAND NOW MACKENZIE MY WIFE\PAR \TAB AND OTHER GOOD CAUSES AND CONSIDERATIONS MOVING ME DO BY THESE\PAR \TAB PRESENTS IN THE EVENT OF MY DECEASE GIVE GRANT AND DISPONE TO AND\PAR \TAB IN FAVOUR OF THE SAID ALEXANDER MACKENZIE MY SON AND THE HEIRS \PAR \TAB WHATSOEVER OF HIS BODY WHOM FAILING TO THE HEIRS WHATSOEVER OF MY\PAR \TAB BODY WHOM FAILING TO ROBERT MACKENZIE LIEUTENANT IN THE MAHRATTA\PAR \TAB SERVICE MURDOCK MACKENZIE SON OF KATHARINE MCLEOD IN ASSYNT IN \PAR \TAB THE COUNTY OF SUTHERLAND AND HUME MACKENZIE LIEUTENANT IN THE \PAR \TAB SERVICE OF THE HONOURABLE EAST INDIA COMPANY ON THE MADRAS\PAR \TAB

ESTABLISHMENT ALL THREE MY NATURAL SONS
 EQUALLY AMONG THEM AND \PAR \TAB THE
 HEIRS WHATSOEVER OF THEIR BODIES AND
 FAILING ANY ONE OR TWO \PAR \TAB OF THEM
 AND THE HEIRS WHATSOEVER OF THEIR BODIES
 TO THE OTHER ONE \PAR \TAB OR TWO OF THEM
 EQUALLY BETWEEN THEM IF TWO AND THE
 HEIRS \PAR \TAB WHATSOEVER OF HIS OR THEIR
 BODIES WHOM ALL FAILING TO MY OWN \PAR
 \TAB NEAREST AND LAWFUL HEIRS AND
 ASSIGNEES WHATSOEVER ALL AND \PAR \TAB
 SUNDRY LANDS HERITAGES ANNUAL RENTS
 TEINDS ADJUDICATIONS \PAR \TAB REVERSIONS
 WOODS MILLS FISHINGS TACKS HEADING AND
 POSSESSION \PAR \TAB BELONGING TO ME OR
 WHICH SHALL BELONG TO ME AT MY DEATH
 AS \PAR \TAB ALSO ALL AND SUNDRY DEBTS
 AND SUMS OF MONEY BOTH HERITABLE AND
 \PAR \TAB MOVEABLE DUE AND OWING OR
 WHICH SHALL BE DUE AND OWING BY ANY \PAR
 \TAB PERSON OR PERSONS TO ME AT MY DEATH
 BY BOND BILL DECREE ACCOUNT \PAR \TAB
 PREMISE OR FACTION AS RENT OF LANDS OR
 ANNUAL RENTS OF MONEY OR IN \PAR \TAB ANY
 OTHER MANNER OF WAY WHATSOEVER WITH
 THE WHOLE VOUCHERS \PAR \TAB
 INSTRUCTIONS AND CONVEYANCES THEREOF
 WRITS AND DEEDS GRANTED \PAR \TAB AND
 DILIGENCE AND EXECUTION ISSUED AND
 OBTAINED FOR PAYMENT AND \PAR \TAB
 SECURITY OF THE SAME AND ALSO ALL AND
 SUNDRY CORNS CATTLE HORSE \PAR \TAB
 SHEEP HOUSEHOLD PLENISHINGS AND
 FURNITURE INCLUDING BED AND \PAR \TAB
 TABLE LINEN SILVER PLATE JEWELS TRINKETS
 BANK NOTES GOLD AND SILVER \PAR \TAB
 COINED AND UNCOINED AND LYING MONEY
 CLOATHS BOOKS AND OTHER \PAR \TAB
 MOVEABLE GOODS GEAR AND EFFECTS OF
 WHATSOEVER NATURE OR \PAR \TAB

DENOMINATION INCLUDING HEIRSHIP
MOVEABLE BELONGING OR THAT MAY \PAR \TAB
BELONG TO ME AT MY DEATH WHEREVER OR IN
WHOSE CUSTODY SOEVER \PAR \TAB THE SAME
MAY THEN BE DISPENSING WITH THE
GENERALITY HEREOF AND \PAR \TAB
DECLARING THESE PRESENTS TO BE EQUALLY
GOOD AND EFFECTUAL \PAR \TAB TO ALL
INTENTS AND PURPOSES AS IF THE SAID LANDS
HERITAGES \PAR \TAB MOVEABLE DEBTS AND
OTHERS HEREBY CONVEYED WERE HEREIN \PAR
\TAB PARTICULARLY SPECIFIED AND
ENUMERATED DECLARING ALWAYS AS IT IS \PAR
\TAB WHEREBY EXPRESSLY PROVIDED AND
DECLARED THAT THE SAID ALEXANDER \PAR
\TAB MACKENZIE MY SON AND THE OTHER HEIRS
SUBSTITUTES AND SUCCESSORS \PAR \TAB
BEFORE NAMED IN THEIR ORDER SHALL BE
BOUND AND OBLIGED TO CONTENT \PAR \TAB
AND PAY MY FUNERAL EXPENSES AND ALL MY
JUST AND LAWFUL DEBTS \PAR \TAB AND
PARTICULARLY WITHOUT PREDUDICE TO THE
SAID GENERALITY THE \PAR \TAB PREVIOUS
CONTAINED IN A CONTRACT OF MARRIAGE
ENTERED INTO BETWEEN \PAR \TAB ME ON THE
ONE PART AND THE SAID KATHERINE
SUTHERLAND NOW MACKENZIE \PAR \TAB MY
WIFE ELDEST LAWFUL DAUGHTER OF THE
DECEAST COLONEL JAMES \PAR \TAB
SUTHERLAND OF UPPAT WITH THE ADVICE AND
CONCENT OF CAPTAIN GEORGE \PAR \TAB
SACKVILLE SUTHERLAND OF UPPAT HER
BROTHER GERMAN ON THE OTHER \PAR \TAB
PART DATED THE 15/07/1801 WHICH
PROVISIONS WERE CONCEIVED IN FAVOUR \PAR
\TAB OF THE SAID KATHERINE SUTHERLAND
NOW MACKENZIE MY WIFE AS WELL \PAR \TAB
OF THE CHILDREN TO BE PROCREATED OF THE
MARRIAGE DECLARING THAT \PAR \TAB THE

SAID ALEXANDER MACKENZIE MY SON SHALL BE ENTITLED TO THE FULL \PAR \TAB BENIFIT OF THE PROVISIONS CONTAINED IN THE SAID CONTRACT IN SO \PAR \TAB FAR AS THE SAME MAY BE INTERPRETED IN HIS FAVOUR OVER AND ABOVE \PAR \TAB WHAT HE MAY DRAW FROM MY ESTATE REAL AND PERSONAL IN VIRTUE \PAR \TAB OF THESE PRESENTS THE SAME BEING MADE AND GRANTED WITHOUT \PAR \TAB PREJUDICE TO THE ABOVE MENTIONED PREVIOUS IN ANY MANNER OF WAY \PAR \TAB AS ALSO MY SAID SON AND THE OTHER HEIRS SUBSTITUTING AND \PAR \TAB SUCCESSORS BEFORE MENTIONED SHALL BE BOUND TO PAY THE \PAR \TAB FOLLOWING LAGACIES VIZ. WHEREAS BY THE SAID CONTRACT OF MARRIAGE \PAR \TAB AMONG OTHER PROVISIONS CONCEIVED IN FAVOUR OF THE SAID KATHARINE \PAR \TAB SUTHERLAND NOW MACKENZIE MY WIFE IT WAS DECLARED THAT IN THE EVENT \PAR \TAB OF MY PREDECEASING THE SAID KATHERINE SUTHERLAND NOW MACKENZIE \PAR \TAB MY WIFE AND THAT AT THE DISSOLUTION OF THE MARRIAGE BY MY DECEASE \TAB \PAR \TAB OR OTHERWISE THERE SHOULD BE NO CHILD OR CHILDREN EXISTING \PAR \TAB THEREOF AT THE TIME THEN AND IN THAT CASE I PROVIDED HEREIN AND \PAR \TAB SHE WAS ENTITLED TO RECEIVE AND WAS THEREBY EMPOWERED TO \PAR \TAB DEMAND AND RECEIVE THE INTEREST OF SIX THOUSANT POUNDS STERLING \PAR \TAB PROVIDED TO THE CHILDREN OF THE MARRIAGE IN MANNER THEREIN \PAR \TAB MENTIONED NOW IN CASE THE SAID EVENTUAL PROVISION SHOULD BE \PAR \TAB VACATED IN CONSEQUENCE OF THE EXISTENCE OF A CHILD OR CHILDREN \PAR \TAB PROCREATED OF THE MARRIAGE WHO MAY SURVIVE ME THEN AND \PAR \TAB IN THAT EVENT I HEREBY GIVE AND BEQUEATH TO THE SAID

KATHARINE\PAR \TAB SUTHERLAND NOW
MACKENZIE MY WIFE THE SUM OF TWO
THOUSANT\PAR \TAB POUNDS STERLING THEN
TO THE SAID HUME MACKENZIE MY
NATURAL\PAR \TAB SON I GIVE AND BEQUEATH
THE SUM OF FIVE HUNDRED POUNDS
STERLING\PAR \TAB THEN TO THE SAID ROBERT
MACKENZIE MY NATURAL SON THE SUM\PAR
\TAB OF THREE HUNDRED POUNDS STERLING
THEN TO THE SAID MURDOCH\PAR \TAB
MACKENZIE MY NATURAL SON THE LIKE SUM OF
THREE HUNDRED \PAR \TAB POUNDS STERLING
THEN TO FRANCES MACKENZIE NOW GUNN
MY\PAR \TAB NATURAL DAUGHTER THE SUM OF
TWO HUNDRED POUNDS STERLING\PAR \TAB
THEN TO MARIA MACKENZIE NOW MACAULY MY
NATURAL DAUGHTER\PAR \TAB THE LIKE SUM
OF TWO HUNDRED POUNDS STERLING THEN TO
COLONEL\PAR \TAB LOUIS GRANT OF
ACHUINACH LATE IN THE SERVICE OF THE
HONOURABLE\PAR \TAB EAST INDIA COMPANY
THE SUM OF THREE HUNDRED POUNDS
STERLING\PAR \TAB THEN TO CAPTAIN
CHARLES GRANT IN THE SERVICE OF THE
HONOURABLE\PAR \TAB EAST INDIA COMPANY
ON THE BENGAL ESTABLISHMENT THE LIKE\PAR
\TAB SUM OF THREE HUNDRED POUNDS
STERLING THEN TO MRS ELIZABETH\PAR \TAB
SUTHERLAND WIDOW OF THE SAID COLONEL
JAMES SUTHERLAND AND\PAR \TAB MOTHER OF
THE SAID KATHARINE SUTHERLAND NOW
MACKENZIE\PAR \TAB WIFE THE SUM OF FIVE
HUNDRED POUNDS STERLING AND MY SAID
SON\PAR \TAB AND THE OTHER HEIRS
SUBSTITUTING AND SUCCESSORS BEFORE\PAR
\TAB MENTIONED SHALL BE BOUND TO PAY THE
SAID SEVERAL LAGACIES\PAR \TAB AT THE
FIRST TERM OF WHITSUNDAY OR MARTINMAS
AFTER MY DEATH\PAR \TAB WITH A FIFTH PART

MORE OF PENALTY IN CASE OF FAILURE AND THE \PAR \TAB LEGAL INTEREST OF THE SAID SUMS RESPECTIVELY FROM THE SAID \PAR \TAB TERM OF PAYMENT UNTIL PAID DECLAIRING THAT THE JUS MARITI \PAR \TAB AND RIGHT OF ADMINISTRATION OF THE HUSBANDS OF THE SAID \PAR \TAB FRANCIS MACKENZIE NOW GUNN AND OF THE SAID MARIA MACKENZIE \PAR \TAB NOW MACAULY IS HEREBY EXPRESSLY SECLUDED AND DEBARRED IN SO \PAR \TAB FAR AS CONCERNS THE SAID LEGACIES PENALTIES AND INTEREST \PAR \TAB AND FOR CARRYING THESE PRESENTS INTO MORE EFFECTUAL \PAR \TAB EXECUTION I HEREBY NOMINATE AND APPOINT THE SAID ALEXANDER \PAR \TAB MACKENZIE MY SON WHOM FAILING THE SAID KATHARINE SUTHERLAND \PAR \TAB NOW MACKENZIE MY WIFE THE SAID GEORGE SACKVILLE SUTHERLAND \PAR \TAB THE SAID LOUIS GRANT THE SAID CHARLES GRANT COLONEL WILLIAM \PAR \TAB DUNCAN IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY \PAR \TAB CAPTAIN HENRY WHITE IN THE SERVICE OF THE HONOURABLE EAST \PAR \TAB INDIA COMPANY ON THE BENGAL ESTABLISHMENT AND NOW OR LATELY \PAR \TAB AIDE DE CAMP TO HIS EXELLENCY MARQUISE WELLESLEY GOVERNOR \PAR \TAB GENERAL OF BENGAL AND COLIN MACKENZIE WRITER TO THE SIGNET \PAR \TAB AND THE ACCEPTING SURVIVORS OR SURVIVOR OF THEM TO BE MY \PAR \TAB SOLE EXECUTORS EXCLUDING MY NEAREST OF KIN AND ALL OTHERS \PAR \TAB FROM THE SAID OFFICE MOREOVER AS I JUDGE IT PRUDENT TO NAME \PAR \TAB TUTORS AND CURATORS TO THE SAID ALEXANDER MACKENZIE \PAR \TAB MY SON OR TO ANY OTHER CHILD OR CHILDREN WHO MAY BE \PAR \TAB PROCREATED OF THE SAID MARRIAGE BETWEEN ME AND THE \PAR \TAB

SAID KATHARINE SUTHERLAND NOW
MACKENZIE AND HAVING \PAR \TAB ENTIRE
CONFIDENCE IN THE SAID KATHARINE
SUTHERLAND \PAR \TAB NOW MACKENZIE MY
WIFE GEORGE SACKVILLE SUTHERLAND \PAR
\TAB LOUIS GRANT CHARLES GRANT WILLIAM
DUNCAN HENRY WHITE \PAR \TAB AND COLIN
MACKENZIE DO HEREBY NOMINATE AND
APPOINT \PAR \TAB THEM AND THE ACCEPTING
SURVIVORS OR SURVIVOR OF \PAR \TAB THEM TO
BE TUTORS AND CURATORS TO THE SAID
ALEXANDER \PAR \TAB MACKENZIE MY SON AND
TO SUCH OTHER CHILD OR CHILDREN \PAR \TAB
AS MAY BE PROCREATED OF THE SAID
MARRIAGE DURING \PAR \TAB THE WHOLE
PERIOD OF THEIR RESPECTIVE PUPILARITIES
AND MINORITIES \PAR \TAB DECLARING THAT
THE MAJORITY OF THE PERSONS BEFORE
NAMED \PAR \TAB ACCEPTING AND ALIVE AT THE
TIME OR ANY ONE OF THEM \PAR \TAB
ACCEPTING AND SURVIVING THE LEAST SHALL
BE A QUORUM AND \PAR \TAB DECLAIRING ALSO
THAT THEY SHALL NOT AS TUTORS OR
CURATORS \PAR \TAB BE LIABLE FOR OMISSIONS
NOR SINGULI IN SOLIDUM BUT EACH \PAR \TAB
ONLY FOR HIS OWN ACTUAL INTROMISSIONS
AND THAT IT SHALL \PAR \TAB BE IN THE POWER
OF THE PERSONS BEFORE NAMED TO
ACCEPT \PAR \TAB THE OFFICE OF TUTOR AND
RENOUNCE THE OFFICE OF CURATOR \PAR \TAB
AND I HEREBY REVOKE ALL FORMER
DISPOSITION AND SETTLEMENT \PAR \TAB
LEGACIES CODICALS AND OTHER
TESTAMENTARY DEEDS MADE \PAR \TAB OR
GRANTED BY ME IN FAVOR OF WHATEVER
PERSON OR PERSONS \PAR \TAB PRECEEDING
THE DATE HEREOF AND DECLARE THIS TO BE MY
LAST \PAR \TAB WILL AND TESTAMENT
RESERVING ALWAYS TO MYSELF FULL \PAR \TAB

POWER AND LIBERTY AT ANY TIME OF MY
LIFE\PAR \TAB EVEN IN SICKNESS OR ON
DEATHBED TO EVOKE ALTER AND
INNOVATE\PAR \TAB THESE PRESENTS IN
WHOLE OR IN PART OR TO CANCEL THE
SAME\PAR \TAB AT PLEASURE BUT IF I SHALL
NOT THINK FIT SO TO DO THESE PRESENTS\PAR
\TAB SHALL BE EFFECTUAL THOUGH FOUND IN
MY CUSTODY OR IN THE CUSTODY\PAR \TAB OF
ANY OTHER PERSON TO WHOM I MAY ENTRUST
THE SAME UNDELIVERED\PAR \TAB AT MY
DEATH WITH THE DELIVERY WHEREOF I HEREBY
DISPENSE AND\PAR \TAB CONSENT TO THE
REGISTRATION HEREOF IN THE BOOKS OF
COUNCIL AND \PAR \TAB SESSION OR OTHERS
COMPETENT THEREIN TO REMAIN FOR
PRESERVATION\PAR \TAB AND THERETO
CONSTITUTE\PAR \PAR \TAB MY PROCURATORS
IN WITNESS.\PAR \TAB WHEREOF SUBSCRIBE
THESE PRESENTS WRITTEN ON THIS AND THE
TWO \PAR \TAB PRECEEDING PAGES OF
STAMPED PAPER BY WILLIAM MACKENZIE
CLERK TO\PAR \TAB ALEXANDER AND COLIN
MACKENZIE WRITERS TO THE SIGNET ON
EACH\PAR \TAB PAGE AT EDINBURGH THE
26/11/1802 BEFORE THESE WITNESSES
THE\PAR \TAB SAID ALEXANDER MACKENZIE
WRITER TO THE SIGNET AND THE SAID \PAR \TAB
WILLIAM MACKENZIE WRITER HEREOF.\PAR
\TAB ROBERT MCKENZIE\PAR \TAB ALEXANDER
MACKENZIE \TAB WITNESS\PAR \TAB WILLIAM
MACKENZIE \TAB WITNESS\PAR }

37 WILLIAM SCOBIE

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}{\COLORTBL;\RED255\GREEN0\BLUE0;} {*\GENERATOR MsFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\F0\FS16\TAB RD/14/118/765. 24TH JUNE 1778 CONTRACT MATRIMONIAL.\PAR \TAB\PAR \TAB BETWEEN ALEXANDER MACKENZIE OF ARDLOCH AND MISS MARGARET SUTHERLAND \TAB 1732.\PAR \TAB\PAR \TAB EDITED 24 JUNE 1778 PRESENTED BY RODERICK MCLEOD WRITEN IN EDINBURGH.\PAR \PAR \TAB REGISTERED BY DAVID RAE AND JAMES BOSWELL.\PAR \PAR \TAB 152 BOOKED.\PAR \PAR \TAB AT LANGWELL THE SIXTEENTH DAY OF SEPTEMBER 1732. IT IS APPOINTED CONTRACTED FINALLY AND\PAR \TAB MATRIMONALLY AGREED AND ENDED BETWEEN THE PARTIES FOLLOWING VIZ. ALEXANDER MACKENZIE\PAR \TAB YOUNGER OF ARDLOCH TO THE SPECIAL ADVICE AND CONSENT OF THE RIGHT \TAB HONOURABLE \TAB WILLIAM\PAR \TAB LORD STRATHNAVER AND THE SAID LORD STRATHNAVER TAKING APON HIM FULL BURDEN FOR THE SAID\PAR \TAB ALEXANDER

MACKENZIE OF ARDLOCH ON THE ONE PART
 AND MARGARET SUTHERLAND LAWFULL
 DAUGHTER\PAR \TAB TO THE DEWAFT CAPTAIN
 ROBERT SUTHERLAND OF LANGWELL WITH THE
 SPECIAL ADVICE AND CONCENT OF\PAR \TAB
 WILLIAM SINCLAIR OF —WICK AND THE SAID
 WILLIAM SINCLAIR OF —WICK \TAB TAKING
 APON HIM \TAB\PAR \TAB BURDEN FOR THE SAID
 MARGARET SUTHERLAND ON THE OTHER PART
 IN MANNER FOLLOWING THAT IS TO SAY\PAR
 \TAB THE SAID ALEXANDER MACKENZIE AND
 MARGARET SUTHERLAND WITH CONSENT BOTH
 HAVE ACCEPTED AND\PAR \TAB TAKEN AND BY
 THEIR PRESENTS ACCEPT AND TAKE EACH FOR
 THEIR LAWFULL \TAB PROMISED SPOUSES AND
 \PAR \TAB FAITHFULLY JOINED AND OBLIGE
 THEM TO SOLOMENIZE AND COMPLETE THE
 HOLY BOND OF MARRIAGE \TAB TOGETHER\PAR
 \TAB WITH ALL REQUISITE SOLOMENISES
 BETWIX AND THE — DAY OF OCTOBER NEXT TO
 COME IN \TAB CONTENPLATION\PAR \TAB OF
 THE WHICH MARRIAGE AND FOR THE LOCKER
 UNDERWRITEN THE SAID ALEXANDER
 MACKENZIE OF \TAB ARDLOCH\PAR \TAB AND
 THE SAID WILLIAM LORD STRATHNAVER AS
 TAKING APON HIM FULL BURDEN FOR THE SAID
 ALEXANDER \PAR \TAB MACKENZIE BINDS AND
 OBLIGES THEM THEIR HEIRS AND SUCCESSORS
 TO DULY AND UFFICIENTLY INFECT\PAR \TAB
 AND SAISE THE SAID MARGARET SUTHERLAND
 IN LIFERENT DURING ALL THE DAY OF HER
 LIFETIME AFTER THE\PAR \TAB DOWERY OF THE
 SAID ALEXANDER MACKENZIE IN CASE SHE
 SHALL HAPPEN TO \TAB SURVIVE HIM IN ALL
 AND HAILLE\PAR \TAB THE SUM OF THE FIVE
 HUNDRED AND TWENTY FIVE MERKS SCOTS
 MONEY YEARLY UPLIFTABLE BY HER IN THE\PAR
 \TAB EVENT FOURTH AT TWO TERMS IN THE
 YEAR BY EQUALL PROPORTIONS BEGINNING THE
 FIRST TERMS PAYMENT\PAR \TAB OF THE SAID

ANNUITIES AT THE FIRST TERM OF WHITSUNDAY OR MARTIMAS AFTER THE DOWERY OF THE SAID \PAR \TAB ALEXANDER MACKENZIE AND SO FORTH TO CONTINUE YEARLY THEREAFTER DURING THE SAID \TAB LIFETIME AND \PAR \TAB THE SAID ALEXANDER MACKENZIE AND THE SAID RIGHT HONOURABLE WILLIAM LORD STRATHNAVER AS \TAB BURDEN \PAR \TAB TAKEN FOR HIM BINDS AND OBLIGES THEM AND THEIR ABOVE WRITTEN TO DELIVER THE SAID SECURITIES IN \PAR \TAB MANNER ABOVE WRITTEN DULY AND VALIDLY MADE INTO BETWIX AND THE TERM OF WHITSUNDAY NEXT TO \PAR \TAB COME THE SAID LORD STRATHNAVER BEING ONLY BOUND AS BURDEN TAKEN FOR THE LIFE RENT PROVISION TO \PAR \TAB THE SAID MARGARET SUTHERLAND AND GO FURTHER AND THE SAID ALEXANDER MACKENZIE HERBY DECLARES \PAR \TAB THAT THE LIFERENT PROVISION ABOVE WRITTEN IS NO WITTS TO JUDGE THE SAID MARGARET SUTHERLAND \PAR \TAB ON HER RIGHT TO HER SHARE OF MOOVEABLES AND CONCUR AS THE LAW DIRECTS THE SAME BEING REFERED \PAR \TAB ENTIRE TO HER FURTHER THE SAID ALEXANDER MACKENZIE BINDS AND OBLIGES HIM HIS HEIRS AND SUCCESSORS \PAR \TAB DULY AND SUFFICIENTLY TO PROVIDE AND SECURE THE HEIRS MALE TO BE ROCREATE OF THE MARRIAGE \PAR \TAB IN THE SAME OF TWELVE THOUSAND POUNDS SCOTS MONEY PAYABLE AT THE FIRST TERM OF WHITSUNDAY \PAR \TAB OR MARTIMAS AFTER THE SAID ALEXANDER MACKENZIE HIS DEATH AND TO DELIVER HE SAID SECURITY \PAR \TAB SO PROVIDED BETWIX AND THE FORM OF WHITSUNDAY ALSO NEXT TO COME BUT IN ALL THE SAID MARGARET \PAR \TAB SUTHERLAND SHALL DIE BEFORE THE SAID

ALEXANDER MACKENZIE AND THAT THE SAID
 ALEXANDER\PAR \TAB MACKENZIE SHALL
 MARRY AGAIN THEN AND IN THAT CASE HE
 BINDS AND OBLIGES HIM HIS HEIRS AND\PAR
 \TAB SUCCESSORS TO PAY YEARLY TO THE SAID
 HEIR MALE OR SON THE SUMS OF THREE
 HUNDRED MERKS\PAR \TAB SCOTS MONEY
 BEGINNING THE FIRST TERMS PAYMENT OF THE
 SAID SUMS AT THE FIRST TERM OF
 WHITSUNDAY\PAR \TAB OR MARTIMAS AFTER
 THE DEATH OF THE SAID MARGARET
 SUTHERLAND AND ALEXANDER
 MACKENZIE\PAR \TAB AND IN CASE THERE
 SHOULD BE ANY HEIRS MALE PROCREATED OF
 THE MARRIAGE AND THERE SHOULD BE\PAR
 \TAB BUT ONE DAUGHTER THEN AND IN THAT
 CASE THE SAID ALEXANDER MACKENZIE BINDS
 AND OBLIGES HIM AND\PAR \TAB HIS FOR FIRST
 TO PAY TO THE SAID DAUGHTER OR HEIR
 FEMALE THE SUM OF SEVEN THOUSANT
 MERKS\PAR \TAB SCOTS MONEY AND IN THE
 CASE OF TWO THREE OR MORE DAUGHTERS THE
 SUM OF NINE THOUSANT\PAR \TAB MERKS
 MONEY FOR AND BETWIX THEM TO BE DIVIDED
 BY THE FATHER AS HE SHALL THINK FIT
 ANYTIME\PAR \TAB IN HIS LIFETIME BUT IN CASE
 OF NO SUCH DIVISION THE SAME SHALL BE
 MADE AT THE SIGHT OF TWO\PAR \TAB NEAREST
 OF KIN ON THE FURTHER FIVE AND TWO OF THE
 NEAREST OF KIN ON THE MOTHER FIVE\PAR
 \TAB AND IN CASE THERE BE NO HEIR MALE
 PROCREATED OF THE MARRIAGE AND THAT
 THERE BE ONE\PAR \TAB TWO OR MORE
 DAUGHTERS OF THE DISOLUTION OF THE SAID
 MARRIAGE BY THE DEATH OF THE\PAR \TAB
 SAID MARGARET SUTHERLAND THEN AND IN
 THE EVENT THE SAID ALEXANDER \TAB
 MACKENZIE BINDS AND\PAR \TAB OBLIGES HIM
 AND HIS FOR SAIDS TO PAY THE ANNUAL RENT
 OF THE FORTH PROVISIONS TO HIS SAID\PAR

\TAB DAUGHTERS BEGINNING THE FIRST TERMS
PAYMENT THEREOF AT THE TERM OF \TAB
WHITSUNDAY OR MARTIMAS\PAR \TAB AFTER
THE DEATH OF THE SAID MARGARET
SUTHERLAND OR THE SAID ALEXANDER
MACKENZIE OR ANY OF\PAR \TAB THEM AT
FIRST SHALL HAPPEN AND THE SAID PRINCIPAL
SUM TO BE PAID AT THEIR RESPECTIVE \TAB\PAR
\TAB THE SAID WILLIAM SINCLAIR OF —WICK AS
BURDEN TAKEN FOR THE SAID MARGARET \TAB
SUTHERLAND\PAR \TAB AND AS DOWRY TO HER
FOR THE SUM UNDERWRITTEN BINDS AND
OBLIGES HIM HIS HEIRS AND\PAR \TAB
SUCCESSORS TO CONTEND AND PAY TO THE
SAID ALEXANDER MACKENZIE HIS HEIRS AND
EXECUTORS\PAR \TAB OR ASSIGNEES THE SUM
OF THREE THOUSAND FIVE HUNDRED MERKS
SCOTS MONEY AND AT THE TERM OF\PAR \TAB
WHITSUNDAY NEXT TO COME TO THE ONE AND
ORDINARY ANNUAL RENT OF THE SAID
PRINCIPAL SUM \TAB\PAR \TAB THE TERM OF
WHITSUNDAY LEFT BY PART UNTIL THE SAID
FORM OF PAYMENT AND YEARLY AND
FORMELY\PAR \TAB THEREAFTER DURING THE
NOT PAYMENT THEREOF AND ITS HEREBY
DECLARED \TAB HAT IN CASE THE
MARRIAGE\PAR \TAB THE MARRIAGE SHOULD
DISOLVE BY THE DEATH OF EITHER OF THE SAID
PARTIES WITHIN YEAR AND DAY\PAR \TAB
AFTER THE SAID MARRIAGE THAT THE JOINTURE
AND LOCKER HEREBY PROVIDED SHALL TAKE
\TAB PLACE\PAR \TAB IN MANNER ABOVE
WRITTEN ANY LAW OR PRACTICE TO THE
CONTRARY NOTWITHSTANDING RATIFY IT\PAR
\TAB IS AGREED THAT EXECUTION SHALL PASS
FOR IMPRESSMENT OF THE SAID ONTRACT AGT
THE SAID\PAR \TAB ALEXANDER MACKENZIE
AND WILLIAM LORD STRATHNAVER AT THE
INSTANCE OF JOHN SUTHERLAND OF\PAR \TAB

HOWE JAMES BUDGE OF TACHNAGA JAMES
SUTHERLAND OF LANGWELL AND WILLIAM
SINCLAIR OF \PAR \TAB —WICK OR EITHER OF
THEM AND BOTH PARTIES BIND AND OBLIGE
THEM THEIR \TAB \PAR \TAB THE PERFORMANCE
OF THE RESPECTIVE PARTS OF THE PROMISE AS
UNDER THE PENAL \PAR \TAB OF EIGHT
HUNDRED POUNDS SCOTS MONEY AT TO FOR
NAMED AND FOR THE MORE SECURITIES \PAR
\TAB WE CONCENT TO THE REGISTRATION IN
THE BOOKS OF COUNCIL SESSION OR ANY
OTHER JUDGES \PAR \TAB BOOKS THAT ALL
EXECUTION NOWSTANDING MAY PASS HEREON
AS AFFAIRS AND TO THAT EFFECT \PAR \TAB WE
CONSTITUTE. \PAR \PAR \TAB OUR
PROCULATORS IN WITNESS WHEREOF WE HAVE
SUBSCRIBED THESE PRESENTS WRITTEN
ON \PAR \TAB THIS AND THE PRECEEDING TWO
PAGES OF STAMPED PAPER BY MR WILLIAM
SCOBIE \PAR \TAB MINISTER OF THE GOSPEL AT
ASSINT PLACE AND INSERT IN THE FIRST PAGE
BY ONE OF THESE \PAR \TAB WITNESSES JAMES
SINCLAIR OF DUMBEATH KENNETH MACKENZIE
BROTHER GERMAN TO THE \PAR \TAB SAID
ALEXANDER MACKENZIE OF ARDLOCH
KENNETH SUTHERLAND BAYLIE OF DORNOCH
AND \PAR \TAB MR WILLIAM SCOBIE . \CF1 \PAR
\TAB SIGNED ALEXANDER MACKENZIE
MARGARET SUTHERLAND JAMES SINCLAIR \TAB
KENNETH MACKENZIE \PAR \TAB KENNETH
SUTHERLAND WILLIAM SCOBIE AND SINCLAIR
AND STRATHNAVER. \CF0 \PAR }

38 EDWARD SUTHERLAND

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20 CONTRACT OF SALE BETWEEN SIR JAMES SUTHERLAND MACKENZIE BART AND EDWARD SUTHERLAND ESQUIRE 12 OCTOBER 1850 AND 5 AUGUST 1851 GEORGE MUNRO J MACKENZIE AD PROCURATOR WM MASON AGENT\PAR \PAR REFERENCE BOX 430 5TH AUGUST 1851\PAR \PAR IT IS CONTRACTED AND AGREED BETWEEN SIR JAMES SUTHERLAND MACKENZIE OF ROYSTON BARONET ON THE ONE PART AND EDWARD SUTHERLAND STEWARD AND STOCKKEEPER OF THE ROYAL HOSPITAL CHELSEA CAPTAIN UNATTACHED OF THE OTHER PART IN MANNER FOLLOWING THAT IS TO SAY

THE SAID JAMES SUTHERLAND MACKENZIE IN CONSIDERATION OF THE PRICE AFTER STIPULATED AND WITH AND UNDER THE CONDITION PROVISION DECLARATION AND PRESERVATION AFTER WRITTEN THEREBY SELLS TO THE SAID EDWARD SUTHERLAND AND HIS HEIRS EXECUTORS AND ASSIGNEES WHOMSOEVER ALL AND WHOLE THE SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS AND FIVE PENCE AND ONE THIRD OF A PENNY STERLING WITH INTEREST AND PENALTIES THEREON AS CONTAINED IN AND DUE BY A BOND GRANTED BY THE DECEASED JOHN HAY MACKENZIE OF CROMARTY ESQUIRE ONLY SON OF THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND THE SAID MRS MARIA MURRAY HAY MACKENZIE AND IN FAVOUR OF THE ALSO DECEASED SIR ALEXANDER MACKENZIE OF ROYSTON BARONET THE BROTHER OF THE SAID SIR JAMES SUTHERLAND MACKENZIE WHOMFAILING TO THE NEAREST HEIR MALE WHATSOEVER OF THE DECEASED GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING TO THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHICH BOND IS DATED THE NINETEENTH DAY OF FEBRUARY AND EIGHTEENTH DAY OF MARCH ONE THOUSAND EIGHT HUNDRED AND THIRTYFIVE AND BY WHICH BOND THE SAID JOHN HAY MACKENZIE AND MRS MARIA MURRAY HAY MACKENZIE UPON THE NARRATIVE AND FOR THE REASONS THEREIN EXPRESSED AS ACKNOWLEDGED CONFESS AND DECLARE THEMSELVES AND THE HEIRS OF TAILZIE SUCCEEDING TO THEM IN THE SAID LANDS AND ESTATE OF CROMARTY TO BE JUSTLY ADEBTED AND RESTING OWING TO THE SAID SIR

ALEXANDER MACKENZIE AND THE OTHER HEIRS OF ENTAIL OF ROYSTON THE SAID PRINCIPAL SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS AND FIVE PENCE AND ONE THIRD OF A PENNY STERLING AND BIND AND OBLIGE THEMSELVES JOINTLY AND SEVERALLY AND THE HEIRS OF TAILZIE SUCCEEDING TO THEM IN THE LANDS AND ESTATE OF CROMARTY TO CONTENT AND PAY THE SAME AS THEREIN EXPRESSED TO THE SAID ALEXANDER MACKENZIE WHOM FAILING AS AFORESAID WITH LIQUIDATE PENALTY INTEREST TERMLY FAILURES ALL THEREIN EXPRESSED AS THE SAID BOND IN ITSELF BEARS— THE SUM OF ONE THOUSAND AND FIFTY POUNDS STERLING CONTAINED IN AND DUE BY A BILL DRAWN BY JOSEPH GORDON WRITER TO THE SIGNET AND ALEXANDER STUART WRITER IN EDINBURGH FOR BEHOOF OF THE SAID SIR JAMES SUTHERLAND MACKENZIE AND THE HEIRS SUCCEEDING TO HIM UNDER THE ROYSTON ENTAIL UPON AND ACCEPTED BY MESSEURS J R BOWINE AND COMPANY PEAK ALUM WORKS AND THOMAS RYMER BOWINE ESQUIRE AND CHARLES LIDDELL ESQUIRE NEAR WHITBY CONJUNCTLY AND SEVERALLY WHICH BILL IS DATED THE TWELFTH DAY OF MAY ONE THOUSAND EIGHT HUNDRED AND FORTY SEVEN AND PAYABLE TWELVE MONTHS AFTER DATE TO THE ORDER OF THE SAID JOSEPH GORDON AND ALEXANDER STUART FOR BEHOOF AFORESAID AND THE SUM THEREIN CONTAINED IS HEREBY DECLARED TO BE FOR VALUE BEING PART OF THE ROYSTON RESIDUE THE SUM OF THREEHUNDRED AND TWENTYFOUR POUNDS AND FIVE SHILLINGS STERLING BEING THE BALANCE OF A SUM SAID TO HAVE BEEN LENT TO THE LATE ROBERT SUTHERLAND ESQUIRE OF MILNMOUNT AND WHICH SUM IS NOW DUE TO

THE SAID SIR JAMES SUTHERLAND MACKENZIE BY THE REPRESENTATION OF THE SAID ROBERT SUTHERLAND ESQUIRE AND BY THE FORESAID JOSEPH GORDON AND ALEXANDER STUART AND MESSEURS GORDON STUART AND CHEYNE W S EDINBURGH ALL OR ONE OR OTHER OF THEM WITH THE INTEREST ON THE SAID SEVERAL SUMS FROM AND SINCE THE TERM OF WHITSUNDAY LAST 6 ONE THOUSAND EIGHT HUNDRED AND FIFTY AND THE PENALTIES AND TERMLY FAILURES IF INCURRED ON THE SUM CONTAINED IN THE BOND FIRST ABOVE MENTIONED TOGETHER WITH ALL RIGHT TITLE AND INTEREST AND CLAIM OF EIGHT INTEREST AND PROPERTY WHICH THE SAID SIR JAMES SUTHERLAND MACKENZIE OR HIS ANCESTORS PREDECESSORS OR AUTHORS OR HEIRS AND SUCCESSORS HAD HAVE OR CAN ANY WISE CLAIM OR PRETEND TO THE SAID SEVERAL SUMS AND DOCUMENTS OF DEBT AND OTHERS OR TO ANY PART OR PORTION OF THE SAME AND THE SAID SIR JAMES SUTHERLAND MACKENZIE HEREBY BINDS AND OBLIGES HIMSELF AND HIS HEIRS AND SUCCESSORS IN THE SAID SUMS DOCUMENTS AND OTHERS UPON THE RIGHT OF THE SAID SIR JAMES SUTHERLAND MACKENZIE TO SELL AND ALIENATE THE SAID SUMS AND OTHERS BEING FINALLY ASCERTAINED AND DETERMINED IN ONE OR OTHER OF THE WAYS AFTER MENTIONED AND UPON RECEIVING PAYMENT OF THE PRICE OF THE SAID SUMS DOCUMENTS AND OTHERS AS AFTER STIPULATED TO EXECUTE AND DELIVER AFORESAID AND VALID DISPOSITION AND ASSIGNATION OR OTHER SUITABLE DEED OF CONVEYANCE OF THE SAID SUMS DOCUMENTS AND OTHERS TO THE SAID EDWARD SUTHERLAND AND HIS AFORESAIDS CONTAINING CLAUSE OF ABSOLUTE WARRANDICE SO FAR AS REGARDS THE SAID

JAMES SUTHERLAND MACKENZIES TITLE AND
CLAUSE OF WARRANDICE FROM FACT AND
DEED ONLY SO FAR AS REGARDS THE SAID
DEBTS AND OTHERS AND ALS CONTAINING
ASSIGNATION TO THE ANNUAL RENTS OF THE
SAID SUMS AND OTHERS FROM AND AFTER THE
TERM OF WHITSUNDAY ONE THOUSAND EIGHT
HUNDRED AND FIFTY ASSIGNATION TO THE
WRITS AND EVIDENTS OF THE SAID SUMS
DOCUMENTS AND OTHERS AND ALL OTHER
USUAL AND NECESSARY CLAUSES BUT
WHEREAS THE SAID JAMES SUTHERLAND
MACKENZIE HAS RIGHT TO THE SAID SUMS
DOCUMENTS AND OTHERS HEREBY SOLD AS
HEIR OF TALLIE AND PROVISION UNDER A
CERTAIN DEED OF ENTAIL AND OTHER
WRITINGS AND INVESTITURES AND WITH AND
UNDER THE PROHIBITION CLAUSES IRRITANT
AND RESOLUTIVE THEREIN SPECIFIED AND
WHEREAS THE SAID EDWARD SUTHERLAND OR
HIS FORESAIDS MAY ON THE GROUND OF
ALLEGED WANT OF LIKE IN THE SAID SIR JAMES
SUTHERLAND MACKENZIE TO SELL THE SAID
SUMS DOCUMENTS AND OTHERS AND TO
RECEIVE AND DISCHARGE THE PRICE OF THE
SAME RAISE AN ACTION OF SUSPENSION OF ANY
CHARGE FOR PAYMENT OF THE SAID PRICE AND
THE SAID SIR JAMES SUTHERLAND MACKENZIE
HAS ENGAGED AND HEREBY BINDS HIMSELF
IMMEDIATELY AFTER THE EXECUTION HEREOF
TO INSTITUTE AN ACTION OF DECLARATION OR
OTHER JUDICIAL PROCEEDINGS FOR
ASCERTAINING HIS RIGHT TO SELL THE SAID
SUMS AND OTHERS AND TO RECEIVE AND
DISCHARGE THE PRICE THEREOF AND TO CITE
AS PARTIES THERETO THE WHOLE EXISTING
HEIRS OF ENTAIL SO FAR AS KNOWN TO HIM
CALLED TO SUCCEED AFTER HIM TO THE SAID
SUMS DOCUMENTS AND OTHERS BY THE SAID

DEEDS OF ENTAIL CHARTERS AND OTHER WRITINGS AND INVESTUTURES THEREOF AND INTERESTED THEREIN IN VIRTUE OF THE SAID ENTAIL THEREFORE IT IS HEREBY PROVIDED AND DECLARED THAT UNFIT IT SHALL BE FOUND AND DECLARED BY OFFICIAL JUDGEMENT OF THE COURT IN ANY ACTION OF SUSPENSION OR DECLARATION OR OTHER JUDICIAL PROCEDURE TO BE INSTITUTED AS AFORESAID THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HAS POWER TO SELL AND ALIENATE THE FORESAID SUMS DOCUMENTS AND OTHERS THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL NOT BE BOUND TO GRANT A DISPOSITION AND ASSIGNATION TO THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS OF THE SUMS DOCUMENTS AND OTHERS ABOVE SPECIFIED AND UNTIL ONE OR OTHER OF THE EVENTS BEFORE MENTIONED SHALL TAKE PLACE THESE PRESENTS SHALL NOT FORM NOR BE CAPABLE OF BEING USED AS THE GROUND OR WARRANT OF ANY ADJUDICATION IN IMPLEMENT OR OTHER PROCESS LAW WHATEVER UNDER WHICH A RIGHT IN THE FORESAID SUMS DOCUMENTS AND OTHERS OR ANY PART OR PORTION THEREOF MAY BE OBTAINED OR CONSTITUTE IN THE PERSON OF THE SAID EDWARD SUTHERLAND OR HIS HEIRS OR ASSIGNEES AND IT IS HEREBY FURTHER PROVIDED THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HIS FORESAIDS SHALL BE BOUND AND OBLIGED TO RELIEVE THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS OF THE WHOLE EXPENSES WHICH THEY MAY INCUR IN ANY ACTIONS TO BE RAISED AS AFORESAID EITHER BY HIM OR BY THE SAID SIR JAMES SUTHERLAND MACKENZIE OR BY ANY OTHER PERSON OR PERSONS IN RELATION TO THE SAID SIR JAMES SUTHERLAND MACKENZIES POWER TO SELL THE SAID SUMS DOCUMENTS

AND OTHERS SUCH EXPENCE BEING CHARGED AS BETWEEN AGENT AND CLIENT AND NOT AS BETWEEN PARTY AND PARTY AND IN CASE IN ANY ACTION OF SUSPENSION AND DECLARATION OR OTHER JUDICIAL PROCEEDINGS TO BE RAISED AS AFORESAID IT SHALL BE FOUND BY A FINAL JUDGEMENT THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE IS NOT ENTITLED TO SELL THE FORESAID SUMS DOCUMENTS AND OTHERS THEN AND IN ANY SUCH EVENT THESE PRESENTS WITH ALL THAT MAY HAVE FOLLOWED THEREON SHALL BECOME EXTINCT VOID AND OF NO FORCE STRONG OR EFFECT WHATSOEVER IN LIKE MANNER AS IF THE SAME HAD NEVER BEEN EXECUTED AND IT IS HEREBY PROVIDED AND DECLARED THAT THE SAID EDWARD SUTHERLAND OR HIS AFORESAIDS SHALL NOT IN ANY CASE WHATEVER BE ENTITLED TO ANY DAMAGES FROM THE SAID SIR JAMES SUTHERLAND MACKENZIE OR HIS HEIRS OR SUCCESSORS ON THE GROUND OF NOW IMPLEMENT OF THE BARGAIN OR ON ANY OTHER ACCOUNT AS ALSO THE SAID EDWARD SUTHERLAND OR HIS AFORERSAIDS SHALL BE BOUND AND OBLIGED REQUIRED BY THE SAID SIR JAMES SUTHERLAND MACKENZIE TO RENOUNCE AND DISCHARGE ALL RIGHT TITLE AND INTEREST WHICH BE OR THEY HAVE OR MAY CLAIM OR PRETEND TO THE SAID SUMS DOCUMENTS AND OTHERS IN CASE THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL HAVE BEEN FOUND NOT ENTITLED TO SELL AND ALIENATE THE SAME AND IN CASE THE SAID EDWARD SUTHERLAND OR HIS AFORESAIDS SHALL HAVE ENTERED TO POSSESSION OF THE SAID SUMS DOCUMENTS AND OTHERS OR ANY PART OR PORTION THEREOF HE OR THEY SHALL BE BOUND TO CEDE AND GIVE UP POSSESSION

OF THE SAME IN CASE THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL HAVE BEEN FOUND NOT ENTITLED TO SELL AS SAID IS TO THE SAID SIR JAMES SUTHERLAND MACKENZIE HIS HEIRS WHO MAY HAVE RIGHT THERETO AND THE SAID SIR JAMES SUTHERLAND MACKENZIE OR HIS SAID HEIRS SHALL BE ENTITLED TO ENTER TO POSSESSION OF AND SHALL HAVE RIGHT IN AND TO THE SAID SUMS DOCUMENTS AND OTHERS IN THE SAME WAY AS IF THESE PRESENTS HAD NEVER BEEN EXECUTED AND ON THE OTHER HAND IN CASE THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL HAVE RECEIVED THE PRICE OF THE FORESAID SUMS DOCUMENTS AND OTHERS OR ANY PART THEREOF FROM THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS HE SHALL BE BOUND AND OBLIGED TO REPEAT AND PAY BACK TO THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS SAID PRICE OR SUCH PART THEREOF AS HE MAY HAVE RECEIVED WITH ANY INTEREST ON THE SAME WHICH HE MAY HAVE RECEIVED AND WITH THE INTEREST OF THE CAPITAL OF THE SAID PRICE SO FAR AS THE SAME MAY HAVE BEEN PAID TO HIM AT THE RATE OF THREE AND A QUARTER PER CENT FROM THE TIME WHEN HE RECEIVED THE SAME UNTIL REPAYMENT THEREOF AND WITH THE WHOLE EXPENSES OF EVERY DESCRIPTION INCURRED BY THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS IN CONSEQUENCE OF HIS OR THEIR HAVING PURCHASED THE SAID SUMS DOCUMENTS AND OTHERS WHETHER SUCH EXPENCES SHALL HAVE BEEN INCURRED IN REGARD TO THE DISPOSITION OR ASSIGNATION OF THE SAID SUMS DOCUMENTS AND OTHERS OR IN SUCH LEGAL PROCEEDINGS AS MAY HAVE BEEN INSTITUTED AS AFORESAID OR IN RENOUNCING THE TITLE TO THE SAID SUMS DOCUMENTS AND OTHER SUCH EXPENSES

BEING CHARGED OR BETWEEN AGENT AND CLIENT AND NOT AS BETWEEN PARTY AND PARTY DECLARING ALWAYS THAT THE SAID EDWARD SUTHERLAND OR HIS AFORESAID SHALL BE BOUND AND OBLIGED TO ACCOUNT TO THE SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS HEIRS AND ASSIGNEES FOR THE ANNUAL RENTS AND PROFITS RECEIVED BY HIM OR THEM FOR THE SAID SUMS AND OTHERS DURING THE TIME THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS SHALL HAVE POSSESSED THE SAME AND FARTHER THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL BE BOUND AND OBLIGED TO EXHIBIT TO THE SAID EDWARD SUTHERLAND AND HIS FORESAIDS A GOOD AND VALID TITLE IN HIS PERSON TO THE SUMS DOCUMENTS AND OTHERS HEREBY SOLD AND THAT AT THE EIGHT AND _____ OF GEORGE GRAHAM BELL ESQUIRE ADVOCATE AND FAILING HIM OF WILLIAM PENNY ESQUIRE ADVOCATE IN CASE ANY QUESTIONS SHALL ARISE BETWEEN THE SAID SIR JAMES SUTHERLAND MACKENZIE AND THE SAID EDWARD SUTHERLAND IN REFERENCE TO THE SUFFICIENCY OF THE SAID SIR JAMES SUTHERLAND MACKENZIES TITLE AND THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL BE BOUND TO DELIVER UP THE SAID EDWARD SUTHERLAND AND HIS FORESAIDS SUCH OF THE SAID TITLES AS RELATE TO THE SUMS DOCUMENTS AND OTHERS HEREBY SOLD AND TO MAKE THE OTHER TITLS TO THE EXTENT OF A LEGAL PROCESS FOR THE COMING TO THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS ON ALL NECESSARY OCCASIONS ON RECEIPT AND OBLIGATION FOR DELIVERY THEREOF WITHIN A REASONABLE TIME AND UNDER A SUITABLE PENALTY FOR WHICH CAUSES AND ON THE OTHER PART THE SAID EDWARD SUTHERLAND

HEREBY BINDS AND OBLIGES HIMSELF AND HIS HEIRS EXECUTORS SUCCESSORS AND REPRESENTATION WHATSOEVER TO PAY TO THE SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS HEIRS EXECUTORS OR ASSIGNEES EXCLUDING ALWAYS HIS HEIRS OF TAILLIE AND PROVISION IN THE SUMS DOCUMENTS AND OTHERS BEFORE DESCRIBED THE SUM OF FOUR THOUSAND AND ONE HUNDRED POUNDS STERLING AS THE AGREED ON PRICE OF THE SAID SUMS DOCUMENTS AND OTHERS AND THAT AS AT THE TERM OF WHITSUNDAY ONE THOUSAND EIGHT HUNDRED AND FIFTY WITH A FIFTH PART MORE OF THE SAID PRICE OF PENALTY IN CASE OF FAILURE IN PAYMENT THEREOF AND THE INTEREST OF THE SAID PRICE AT THE RATE OF THREE AND A QUARTER PER CENT FROM THE SAID TERM OF WHITSUNDAY ONE THOUSAND EIGHTHUNDRED AND FIFTY UNTIL THE FIRST TERM OF WHITSUNDAY OR MARTINMAS AFTER THE RIGHT OF THE SAID SIR JAMES SUTHERLAND MACKENZIE AND OTHERS SHALL BE FINALLY ASCERTAINED AND DETERMINED IN ONE OR OTHER OF THE WAYS BEFORE MENTIONED AND THE LEGAL INTEREST OF THE SAID PRICE THEREAFTER DURING THE NOT PAYMENT AND WHICH INTEREST SHALL BE PAYABLE AT TWO TERMS IN THE YEAR WHITSUNDAY AND MARTINMAS BY EQUAL PORTION BEGINNING THE FIRST TERMS PAYMENT THEREOF AT MARTINMAS ONE THOUSAND EIGHT HUNDRED AND FIFTY FOR THE HALF YEAR PRECEEDING AND SO FORTH HALF YEARLY AND TERMLY THEREAFTER DURING THE NOT PAYMENT WITH A FIFTH PART MORE OF EACH TERMS PAYMENT OF THE SAID INTEREST OF PENALTY IN CASE OF FAILURE IN PAYMENT THEREOF AS ALSO THE SAID EDWARD SUTHERLAND HEREBY BINDS AND OBLIGES HIMSELF AND HIS FORESAIDS TO PAY THE ONE

HALF OF THE EXPENCE OF PREPARING WRITING AND REVISING THE DISPOSITION OF THE FORESAID SUMS DOCUMENTS AND OTHERS TO BE GRANTED IN TERMS HEREOF AND OF THE STAMP DUTY IMPOSED OR TO BE IMPOSED THEREON THE SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS FORESAIDS BEING BOUND AND OBLIGED TO PAY THE OTHER HALF OF THE SAID EXPENSES AND IN CASE ANY DISPUTES OR QUESTIONS SHALL ARISE BETWEEN THE SAID SIR JAMES SUTHERLAND MACKENZIE AND EDWARD SUTHERLAND OR THEIR FORESAIDS CONCERNING THE IMPORT OF THESE PRESENTS OR THE EXECUTION AND IMPLEMENT THEREOF SUCH DISPUTES AND QUESTIONS ARE HEREBY SUBMITTED AND REFERRED TO THE AMICABLE DECISION AND DECREE ARBITRAL OF THE SAID GEORGE GRAHAM BELL AND FAILING HIM OF THE SAID WILLIAM PENNY AS SOLE ARBITOR AND WHATEVER THE SAID ARBITERS IN THEIR ORDER SHALL DETERMINE IN THE PREMISES BETWEEN AND THE————— OR BETWEEN AND ANY OTHER DAY TO WHICH THIS SUBSCRIPTION MAY BE PROROGATED POWER OF PROROGATION BEING HEREBY GIVEN TO THE SAID ARBITERS IN THEIR ORDER FROM TIME TO TIME AS THEY SHALL SEE CAUSE THE SAID SIR JAMES SUTHERLAND MACKENZIE AND EDWARD SUTHERLAND AND THEIR FORESAIDS SHALL BE BOUND AND OBLIGED RESPECTIVELY TO IMPLEMENT AND FULFIL TO EACH OTHER UNDER PENALTY OF ONE HUNDRED POUNDS TO BE PAID BY THE PARTY FAILING TO THE PARTY OBSERVING OR WILLING TO OBSERVE HIS OR THEIR PART THEREOF OVER AND ABOVE PERFORMANCE AND LASTLY BOTH PARTIES HEREBY BIND AND OBLIGE THEMSELVES RESPECTIVELY AND THEIR RESPECTIVE HEIRS SUCCESSORS AND REPRESENTATIVES

WHATSOEVER TO IMPLEMENT AND PERFORM
THEIR RESPECTIVE PARTS OF THE PREMISES TO
EACH OTHER UNDER THE PENALTY OF FIVE
HUNDRED POUNDS TO BE PAID BY THE PARTY
FAILING TO THE PARTY OBSERVING OR WILLING
TO OBSERVE HIS OR THEIR PART THEREOF OVER
AND ABOVE PERFORMANCE AND THEY
CONSENT TO THE REGISTRATION HEREOF IN THE
BOOKS OF COUNCIL AND SESION OR OF ANY
OTHER COMPETENT COURT FOR PRESERVATION
AND IF NECESSARY THAT LETTERS OF HORNING
ON SIX DAYS CHARGE AND ALL OTHER LEGAL
EXECUTION MAY PASS UPON A DECRE TO BE
INTERPONED HERETO IN USUAL FOR IN AND
CONSTITUTE ADVOCATES THEIR PROCURATORS
FOR THAT PURPOSE IN WITNESS WHEREOF
THESE PRESENTS CONSISTING OF THIS AND THE
THREE PRECEEDING PAGES OF STAMPED PAPER
WRITTEN BY JOHN NEWSHAM CLERK TO
MESEURS VALLANCE AND VALLANCE
SOLICITORS IN LONDON ARE SUBSCRIBED BY
THE SAID SIR JAMES SUTHERLAND MACKENZIE
AND EDWARD SUTHERLAND AND THEIR SEALS
SET AND AFFIXED THERETO AT LONDON THE
TWELFTH DAY OF OCTOBER EIGHTEEN
HUNDRED AND FIFTY YEARS BEFORE THESE
WITNESSES JOHN VALLANCE ESQUIRE
SOLICITOR IN LONDON AND JOHN NEWSHAM
CLERK TO MESSEURS VALLANCE AND VALANCE
SOLICITORS THERE THE PLACE AND DATE OF
SIGNING AND SEALING AND DESIGNATION
BEING WRITTEN BY THE SAID JOHN NEWSHAM
THE WRITER OF THE FOUR PAGES OF WHICH
THESE PRESENTS CONSIST SIGNED JAMES
SUTHERLAND MACKENZIE EDWARD
SUTHERLAND SIGNED SEALED AND DELIVERED
IN THE PRESENCE OF JOHN VALLANCE
SOLICITOR 20 EPEN STREET STRAND LONDON
WITNESS JOHN NEWSHAM HIS CLERK WITNESS.
\PAR \PAR }

39 JOHN MONTGOMERY

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}{\COLORTBL ;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;\RED192\GREEN192\BLUE192;\RED0\GREEN0\BLUE255;}{*\GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\F0\FS16\TAB RD 13 149 662\PAR \PAR \TAB KNOW ALL MEN BY THESE PRESENTS US MRS KATHARINE SUTHERLAND \PAR \TAB OR MACKENZIE RELICT OF THE DECEASED COLONEL ROBERT MACKENZIE\PAR \TAB SOMETIMES IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY \PAR \TAB AND CAPTAIN GEORGE SACKVILLE SUTHERLAND RESIDING AT RHIVES \PAR \TAB WHEREAS THE SAID DECEASED COLONEL ROBERT MACKENZIE BY \PAR \TAB DISPOSITION AND DEED OF SETTLEMENT BEARING DATE THE 26/11/1802\PAR \TAB AND RECORDED IN THE BOOKS OF COUNCIL AND SESSION (OFFICE W.B.)\PAR \TAB THE 30/07/1809 GAVE GRANTED AND DISPONED TO AND IN FAVOUR OF \PAR \TAB ALEXANDER MACKENZIE HIS ELDEST LAWFUL SON WHOM FAILING AS \PAR \TAB THEREIN MENTIONED UNDER THE CONDITION AND WITH THE PROVISIONS\PAR \TAB THEREIN EXPRESSED ALL ESTATE AND EFFECTS REAL AND PERSONAL\PAR \TAB HERITABLE AND MOVEABLE THAT SHOULD PERTAIN AND BELONG TO \PAR \TAB HIM AT THE TIME OF HIS DEATH AND HE NOMINATED AND APPOINTED\PAR \TAB THE SAID ALEXANDER MACKENZIE WHOM FAILING THE PERSONS THEREIN\PAR \TAB MENTIONED TO BE HIS SOLE EXECUTERS AND MOREOVER AS HE JUDGED\PAR \TAB IT PRUDENT TO NAME

TUTORS AND CURATORS TO THE SAID
 ALEXANDER\PAR \TAB MACKENZIE HIS SON AND
 TO ANY OTHER CHILD OR CHILDREN WHO \PAR
 \TAB MIGHT BE PROCREATED OF THE MARRIAGE
 TWIXT HIM AND ME THE SAID\PAR \TAB MRS
 KATHARINE MACKENZIE AND HAVING ENTIRE
 CONFIDENCE\PAR \TAB IN US THE SAID MRS
 KATHARINE MACKENZIE AND GEORGE
 SACKVILLE\PAR \TAB SUTHERLAND AND IN \CF 1
 COLONEL LEWIS GRANT OF ACHINOC
 LATE\PAR \TAB IN THE SERVICE OF THE
 HONOURABLE EAST INDIA COMPANY\PAR \TAB
 CAPTAIN CHARLES GRANT IN THE SERVICE OF
 THE HONOURABLE\PAR \TAB EAST INDIA
 COMPANY ON THE BENGAL ESTABLISHMENT
 COLONEL\PAR \TAB WILLIAM DUNCAN IN THE
 SERVICE OF THE HONOURABLE EAST \PAR \TAB
 INDIA COMPANY CAPTAIN HENRY WHITE IN THE
 SERVICE OF\PAR \TAB THE SAID COMPANY AND
 SOMETIME AID DE CAMP TO THE MARQUIS\PAR
 \TAB WELLESLY AND COLIN MACKENZIE WRITER
 TO THE SIGNET\PAR \TAB ONE OF THE
 PRINCIPAL CLERKS OF SESSION\CF2 HE
 THEREFOR NOMINATED\PAR \TAB APPOINTED
 US AND THE SAID LEWIS GRANT CHARLES
 GRANT WILLIAM\PAR \TAB DUNCAN HENRY
 WHITE AND COLIN MACKENZIE AND THE
 ACCEPTING\PAR \TAB SURVIVORS OR SURVIVOR
 OF US AND THEM TO BE TUTUTORS AND\PAR
 \TAB CURATORS TO THE SAID ALEXANDER
 MACKENZIE HIS SON AND\PAR \TAB TO SUCH
 OTHER CHILD OR CHILDREN AS MIGHT BE
 PROCREATED\PAR \TAB OF THE SAID MARRIAGE
 DURING THE WHOLE PERIOD OF THEIR\PAR \TAB
 RESPECTIVE PUPILLARITIES AND MINORITIES
 DECLARING THAT THE\PAR \TAB MAJORITY OF
 THE PERSONS THEREIN AND ABOVE NAMED
 ACCEPTING\PAR \TAB AND ALIVE AT THE TIME
 OR ANY ONE OF THEM ACCEPTING AND\PAR
 \TAB SURVIVING THE REST SHOULD BE A

QUORUM AND WHEREAS\PAR \TAB THE SAID
LEWIS GRANT CHARLES GRANT WILLIAM
DUNCAN\PAR \TAB HENRY WHITE AND COLIN
MCKENZIE HAVE DECLINED TO ACCEPT\PAR
\TAB OR ACT FOR THE NOMINATION OF TUTORS
AND CURATORS IN NAME\PAR \TAB ABOVE
NARRATED SO THAT THE SAID MRS KATHARINE
MACKENZIE\PAR \TAB AND GEORGE SACKVILLE
SUTHERLAND ARE THE ONLY ACCEPTING\PAR
\TAB TUTORS NOMINATE OF THE SAID
ALEXANDER MCKENZIE AND OF\PAR \TAB
ELIZABETH BAILLIE MCKENZIE MARGARET
SUTHERLAND MACKENZIE\PAR \TAB AND JAMES
SUTHERLAND MACKENZIE THE YOUNGER
CHILDREN\PAR \TAB OF THE SAID COLONEL
ROBERT MACKENZIE PROCREATED OF HIS\PAR
\TAB SAID MARRIAGE ALL OF WHOM ARE
MINORS WHITHIN THE YEARS OF\PAR \TAB
PUPILLARITY AND ON ENTERING ON THE
ADMINISTRATION AND \PAR \TAB MANAGEMENT
OF THE ESTATE WHICH PERTAINED TO THE SAID
\PAR \TAB COLONEL ROBERT MACKENZIE
BEHOOF OF OUR SAID PUPILS AS TUTORS\PAR
\TAB FORSAID WE FIND IT NECESSARY FOR THE
PURPOSE OF SPEEDILY AND\PAR \TAB
EFFECTUALLY EXTRICATING THE SAME BY
PAYMENT OF THE DEBTS\PAR \TAB DUE BY THE
SAID DECEASED COLONEL ROBERT MACKENZIE
AND\PAR \TAB INVESTING THE RESIDUE OF THE
SAID ESTATE IN THE MANNER MOST\PAR \TAB
BENEFICIAL FOR OUR SAID PUPILS AND ALL
OTHERS CONCERNED\PAR \TAB TO ASSIST A FIT
PERSON TO BE OUR AGENT AND FACTOR WITH
\PAR \TAB POWER TO INTROMIT WITH THE SAID
ESTATE AND AFFECTS FOR\PAR \TAB US AND IN
OUR NAMES AS TUTORS FORESAID AND HAVING
ENTIRE\PAR \TAB CONFIDENCE IN THE
CAPACITY AND INTEGRITY OF JOSEPH
GORDON\PAR \TAB WRITER TO THE SIGNET

THEREFOR WE HAVE NOMINATED
CONSTITUTED\PAR \TAB AND APPOINTED US WE
DO HEREBY NOMINATE CONSTITUTE AND\PAR
\TAB APPOINT THE SAID JOSEPH GORDON TO BE
OUR AGENT AND\PAR \TAB FACTOR GIVING
GRANTING AND COMMITTING POWER TO
HIM\PAR \TAB FOR AND IN NAME OF THE SAID
ALEXANDER MACKENZIE AND\PAR \TAB FOR US
AND IN OUR NAMES AS TUTORS FORESAID TO
INTROMIT WITH\PAR \TAB AND ENTER ON THE
POSSESSION AND MANAGEMENT OF THE
WHOLE\PAR \TAB ESTATE AND EFFECTS REAL
AND PERSONAL HERITABLE AND \PAR \TAB
MOVEABLE OF EVERY DENOMINATION AND
WHERESOEVER SITUATED\PAR \TAB WHICH
PERTAINED TO THE SAID DECEASED COLONEL
ROBERT MACKENZIE\PAR \TAB AND TO RESPECT
THE SAID ALEXANDER MCKENZIE HAS NOW
RIGHT IN \PAR \TAB VIRTUE OF THE GENERAL
DISPOSITION ABOVE NOMINATED TO SUE FOR
\PAR \TAB UPLIFT AND RECOVER ALL DEBTS
AND SUMS OF MONEY DUE AND ADEBTED\PAR
\TAB TO THE SAID DECEASED COLONEL ROBERT
MACKENZIE IE AND ON\PAR \TAB PAYMENT TO
GRANT RECEIPTS AND DISCHARGE FOR THE
SAME\PAR \TAB WHICH SHALL BE AS VALID AND
EFFECTUAL TO THE RECEIVERS AS\PAR \TAB IF
GRANTED BY US TO SETTLE COMPOUND AND
TRANSACTION FOR ALL\PAR \TAB DEBTS CLAIMS
AND DEMANDS DUE AND UNPAID FROM THE\PAR
\TAB ESTATE OF THE SAID DECEASED COLONEL
ROBERT MACKENZIE\PAR \TAB OR FOR WHICH
THE SAID ALEXANDER MCKENZIE MAY ANY
WAYS\PAR \TAB BE LIABLE AS REPRESENTING
HEIRS AND TO PURSUE AND DEFEND ALL\PAR
\TAB ACTIONS AT LAW THAT MAY BE
NECESSARY FOR ASCERTAINING\PAR \TAB THE
AMOUNT OF THE SAID DEBTS AND SUMS OF
MONEY DUE TO THE SAID\PAR \TAB DECEASED
COLONEL ROBERT MCKENZIE AS WELL AS THE

SUMS\PAR \TAB DUE AND UNPAID AFFECTING HIS ESTATE AND TO ENTER INTO\PAR \TAB THE GENERAL OR PARTICULAR SUBMISSIONS IN REGARD TO\PAR \TAB SUCH DEBTS CLAIMS AND DEMANDS BINDING AND OBLIGING US\PAR \TAB AND THE SAID ALEXANDER MACKENZIE TO ABIDE BY AND IMPLEMENT\PAR \TAB AND FULFIL OUR PART OF THE AMICABLE DECISIONS AND\PAR \TAB DECREETS ARBITRAL TO BE PRONOUNCED IN SUCH SUBMISSIONS\PAR \TAB AND GENERALLY WITH FULL POWER TO OUR SAID FACTOR TO DO \PAR \TAB EVERY OTHER THING FOR EFFECTING A SPEEDY AND DISTINCT\PAR \TAB ARRANGEMENT OF THE AFFAIRS OF THE SAID DECEASED COLONEL\PAR \TAB ROBERT MACKENZIE AND BRINGING HIS ESTATE AND EFFECTS TO THE\PAR \TAB BEST ACCOUNT FOR BEHOOF OF THE SAID ALEXANDER MACKENZIE\PAR \TAB AND OUR OTHER PUPILS ABOVE NAMED THAT WE COULD DO OUR\PAR \TAB SELVES AS TUTORS NOMINATE OR THAT IT IS LEGALLY COMPETENT\PAR \TAB FOR ANY FACTOR AND AGENT TO DO IN THE LIKE CASE TO BINDING\PAR \TAB THEREBY AND OBLIGING US TO RATIFY CONFIRM APPROVE \PAR \TAB WHATEVER OUR SAID FACTOR SHALL LAWFULLY DO OR CAUSE TO\PAR \TAB BE DONE IN THE PREMISES AND DECLARING THAT HE SHALL\PAR \TAB NOT BE LIABLE FOR OMISSIONS BUT ONLY FOR HIS ACTUAL \PAR \TAB INTROMISSIONS OF WHICH BY ACCEPTANCE HEREOF HE SHALL\PAR \TAB BE BOUND AND OBLIGED TO \PAR \TAB ACCOUNT AS OFTEN AS REQUIRED AND\PAR \TAB REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND SESSION\PAR \TAB OR ANY OTHERS COMPETENT\PAR \TAB AND FOR THAT PART IN FULL CONSTITUTE\PAR \TAB\PAR \TAB IN WITNESS WHEREOF THESE PRESENTS

WRITEN UPON THIS AND\PAR \TAB TWO
 PRECEEDING PAGES OF STAMPED PAPER BY
 ALEXANDER\PAR \TAB DUFF CLERK TO THE SAID
 JOSEPH GORDON ARE SUBSCRIBED\PAR \TAB
 BY US AS FOLLOWS BY US AS FOLLOWS VIZ... BY
 ME THE SAID\CF1 \PAR \TAB CAPTAIN GEORGE
 SACKVILLE SUTHERLAND AT EDINBURGH
 THE\PAR \TAB SIXTH DAY OF SEPTEMBER 1809
 YEARS IS BEFORE THE SAID ALEXANDER\PAR
 \TAB STUART WRITER IN EDINBURGH AND THE
 SAID ALEXANDER
 DUFF\CF3 \TAB \TAB \TAB \TAB \TAB \TAB \TAB \TAB
 \TAB \TAB \TAB \CF1 AND BY ME THE SAID MRS
 \TAB KATHARINE MCKENZIE AT MILMOUNT\PAR
 \TAB THE 30/11/1809 FORSAID BEFORE THESE
 JAMES MACGOWAN\PAR \TAB TEACHER AT
 MILLMOUNT AND JOHN MONTGOMERY
 POSTMASTER\PAR \TAB PARKHILL.\PAR \PAR
 \PAR \TAB \CF4 SIGNED JAMES
 MACGOWAN\TAB \TAB \TAB 30/11/1809\PAR
 \TAB JOHN
 MONTGOMERY\TAB \TAB \TAB \TAB \PAR \TAB
 ALEXANDER STUART\TAB \TAB \TAB \TAB
 26/09/1809\PAR \TAB ALEXANDER DUFF\PAR
 \TAB KATHARINE MACKENZIE\PAR \TAB GEORGE
 SACKVILLE SUTHERLAND\CF1 \PAR
 \TAB \CF2 \TAB \PAR \CF1 \TAB \CF0
 GD305/1/128/17.\PAR \PAR \TAB IT IS
 CONTRACTED AGREED AND MATRIMONIALY
 ENDED BETWIXT THE \PAR \TAB PARTIES
 FOLLOWING VIZ. COLLONELL ROBERT MCKINZIE
 IN THE SERVICE \PAR \TAB OF THE
 HONOURABLE EAST INDIA COMPANY ON THE
 ONE PART AND MISS\PAR \TAB KATHERINE
 SUTHERLAND ELDEST LAWFULL DAUGHTER OF
 THE DECEAST \PAR \TAB COLL.JAMES
 SUTHERLAND OF UPPAT WITH THE ADVICE AND
 CONSENT\PAR \TAB OF CAPTAIN GEORGE
 SACKVILLE SUTHERLAND OF UPPAT HER
 BROTHER\PAR \TAB GERMAN ON THE OTHER

PART IN MANNER FOLLOWING THAT IS TO SAY\PAR \TAB THE SAID COLL ROBERT MACKENZIE AND MISS KATHERINE SUTHERLAND\PAR \TAB HAVING CONCURRED A MUTUAL LOVE AND AFFECTION FOR ONE\PAR \TAB ANOTHER HAVE ACCEPTED AND DO HEREBY ACCEPT OF EACH OTHER\PAR \TAB FOR LAWFULL SPOUSES AND HEREBY BIND AND OBLIGE THEM TO\PAR \TAB SOLEMISE THE HOLY BONDS OF MATRIMONY WITH ALL CONCONCIENT\PAR \TAB SPEED\TAB IN CONTEMPLATION OF WHICH MARRIAGE THE SAID COLL ROBERT\PAR \TAB MCKINZIE HEREBY BINDS AND OBLIGES HIM HIS HEIRS EXECUTERS\PAR \TAB AND SUCCESSORS TO CONTENT AND PAY TO THE SAID MISS KATHERINE\PAR \TAB SUTHERLAND IN THE EVENTS OF HER SURVIVING HIM AND INDEPENDENT\PAR \TAB OF THE ADDITION THERETO IN THE EVENT HEREIN AFTER MENTIONED\PAR \TAB ALL AND HAILL OF FREE YEARLY ANNUITY OF TWO HUNDRED POUNDS\PAR \TAB STERLING AND THAT AT TWO TERMS IN THE YEAR WHITSUNDAY\PAR \TAB AND MARTINMAS BY EQUALL PORTIONS BEGINNING THE FIRST TERMS \PAR \TAB PAYMENT THEREOF THE FIRST SUM OF WHITSUNDAY ON MARTINMAS AFTER\PAR \TAB HIS DECEASE FOR THE HALF YEAR PRECEEDING AND SO ON HALF YEARLY\PAR \TAB DURING ALL THE DAYS OF HER LIFETIME WITH A FIFTH PART MORE\PAR \TAB OF EACH TERM PAYMENT OF LIQUIDATE PENALTY INCREASE OF HAILLE \PAR \TAB AND THE DUE AND ORDINARY ANNUAL RENT THEREOF THEREAFTER\PAR \TAB DURING THE NOT PAYMENT AND FURTHER THE SAID COLL.ROBERT \PAR \TAB BINDS AND OBLIGES HIM AND HIS FORSAID IN THE EVENT OF ONE \PAR \TAB CHILD MALE OR FEMALE BEING

PROCREATED OF THIS MARRIAGE BETWIXT\PAR
\TAB HIM AND THE SAID MISS KATHERINE
SUTHERLAND TO CONTEND \PAR \TAB AND PAY
TO SUCH CHILD THE SUM OF THREE THOUSANT
POUNDS\PAR \TAB STERLING TWO CHILDREN
MALE OR FEMALE THE SUM OF TWO
THOUSANT\PAR \TAB POUNDS STERLING EACH
AND IF THREE OR MORE CHILDREN THE
SUM\PAR \TAB OF SIX THOUSAND POUNDS
STERLING THE ELDEST CHILD TO \PAR \TAB
RECEIVE OF THAT SUM OF THREE THOUSAND
POUNDS STERLING AND \PAR \TAB THE
REMAINING THREE THOUSAND POUNDS
STERLING TO BE \PAR \TAB DIVIDED AMONGST
THE YOUNGER CHILDREN IN SUCH
PROPORTIONS\PAR \TAB AS THEIR FATHER AND
MOTHER OR SURVIVOR OF THEM MAY THINK\PAR
\TAB PROPER AT ANY TIME IN THEIR LIFETIME
AND THAT AT AND AGAINST\PAR \TAB THE FIRST
TERM OF WHITSUNDAY OR MARTINMAS AFTER
HIS DECEASE\PAR \TAB WITH A FIFTH PART
MORE OF EACH CHILD PROVISION OF
LIQUIDATE\PAR \TAB PENALTY IN CASE OF
HAILLE AND THE DUE AND ORDINARY
ANNUAL\PAR \TAB RENT THEREOF THEREAFTER
DURINGTHE NOT PAYMENT BUT DECLARING\PAR
\TAB THAT INTHE EVENT OF THE SAID COLL
ROBERT MCKINZIES PREDECEASING \PAR \TAB
THE SAID MISS KATHERINE SUTHERLAND AND
THAT THE DISSOLUTION \PAR \TAB THE
MARRIAGE BY HIS DECEASED ARE OTHERWAYS
THERE SHOULD\PAR \TAB BE AND CHILD OR
CHILDREN EXISTING THEREOF AS THE TIME
THEM\PAR \TAB THAT CASE THE SAID
COLL.ROBERT MCKINZIE PROVIDES HER IN
AND\PAR \TAB SHE SHALL BE ENTITLED TO
RECEIVE AND IS HEREBY EMPOWERED\PAR \TAB
TO DEMAND AND RECEIVE THE INTEREST OF THE
SAID SIX THOUSANT\PAR \TAB POUNDS
STERLING PROVIDED TO THE CHILDREN OF THE

MARRIAGE\PAR \TAB IN MANNER BEFORE MENTIONED DECLAIRING ALSO THAT IN THE EVENT\PAR \TAB OF THE DECEASE OF THE SAID COLL. ROBERT MCKINZIE BEFORE THE\PAR \TAB SAID MISS KATHERINE SUTHERLAND AND THAT THERE SHOULD\PAR \TAB BE ONE OR MORE CHILDREN OF THE MARRIAGE ENDING AT THE TIME AND\PAR \TAB THAT THERE SHOULD BE A DEFICIENCY IN HIS FUNDS FOR ANSWERING THE\PAR \TAB SEVERAL PROVISIONS IN THEIR FAVOUR BEFORE MENTIONED AND PAYING\PAR \TAB THE SAID ANNUITY OF TWO HUNDRED POUNDS STERLING TO THE SAID\PAR \TAB KATHERINE SUTHERLAND YET THAT SUCH DEFICIENCY SHALL IN THE\PAR \TAB MEANTIME FALL UPON THE CHILDREN PROVISIONS UNTILL THE DECEASED\PAR \TAB OF THE SAID MISS KATHERINE SUTHERLAND AND THAT IN EVERY EVENT\PAR \TAB THE SUM OF FOUR THOUSAND POUNDS STERLING SHALL REMAIN CLEAR\PAR \TAB AND UNTOUCHED FOR ANSWERING THE SAID ANNUITY DURING ALL\PAR \TAB THE DAYS OF HER LIFETIME AND FOR THE FURTHER SECURITY OF THE SAID\PAR \TAB MISS KATHERINE SUTHERLAND FOR PAYMENT OF THE SAID EVENTUALL\PAR \TAB ANNUITY AND FOR THE PROVISIONS TO THE CHILDREN OF THE MARRIAGE\PAR \TAB BEFORE MENTION THE SAID COLL. ROBERT MCKINZIE ASSIGNS AND\PAR \TAB CONVEYS AS MUCH OF THE SEVERALL SUMS OF ANNUITY AFTER\PAR \TAB MENTIONED WITH THE SECURITIES THEREFORE AS WILL COMPLETELY\PAR \TAB SATISFY AND PAY THE SAME VIZ. THE SUM OF SIXTY SEVEN THOUSANT\PAR \TAB EIGHT HUNDRED AND EIGHT DINA RUPEES VESTED BY ME IN THE\PAR \TAB EIGHTY PER CENT EAST INDIA GOVERNMENT SECURITIES\PAR \TAB BY SEVERAL INVESTITURES THE FIRST DATED THE

4TH DAY OF \PAR \TAB MAY ONE THOUSANT
SEVERAL HUNDRED AND NINETY THREE \PAR
\TAB AND THE LAST DATED THE FIRST DAY OF
NOVEMBER ONE THOUSANT \PAR \TAB EIGHT
HUNDRED YEAR ALL AS CONTAINED IN AN
ACCOUNT CURRENT \PAR \TAB BETWIXT HIM
AND MESSRS. DOWNIE AND MAITLAND HIS
AGENTS \PAR \TAB AT CALCUTTA DATED
31 / 12 / 1800 YEARS THE FURTHER SUM OF
TWENTY \PAR \TAB THOUSANT DIVA RUPEES
VESTED BY HIM IN THE SAID GOVERNMENT \PAR
\TAB SECURITIES BEING NUMBER FORTY EIGHT
OF THE DECENNIAL LOAN \PAR \TAB
OBLIGATION DATED THE SIXTEENTH DAY OF
NOVEMBER ONE THOUSANT \PAR \TAB SEVEN
HUNDRED AND NINETY EIGHT AND ALSO STOCK
TO THE AMOUNT \PAR \TAB OF EIGHT THOUSANT
ONE HUNDRED AND FORTY ONE POUNDS
VESTED \PAR \TAB BY HIM IN THE THREE
PERCENT CONSOLIDATED FUNDS OF
GREAT \PAR \TAB BRITAIN AND MANAGED ON HIS
AMOUNT BY MESSRS. THOMAS COUTTS \PAR
\TAB AND CO BANKERS IN LONDON CONFORM
TO THEIR AMOUNT CURRENT \PAR \TAB WITH HIM
THERE ANENT ENDING THE SIXTEENTH DAY OF
MAY LAST \PAR \TAB AND WHICH AMOUNT ARE
SIGNED BY THE PARTIES OF THIS DATE AS \PAR
\TAB RELATIVE HERETO AND IN WHICH LAST
SUM IS INCLUDED THE SUM \PAR \TAB OF SIX
HUNDRED POUNDS STERLING VESTED IN THE
SAID FUNDS \PAR \TAB SINCE THAT PERIOD WITH
POWER TO THE SAID MISS KATHERINE \PAR \TAB
SUTHERLAND IN THE EVENT OF HER SURVIVING
THE SAID AFFIDATE \PAR \TAB SPOUSE OUT OF
BOTH ARE EITHER OF THE SAID FUNDS THE
SAID \PAR \TAB YEARLY ANNUITY ACCEPTS AND
DISCHARGES TO GRANT THEREFORE \PAR \TAB
AND GENERALLY EVERY OTHERTHING
THEREANENT TO DO THAT \PAR \TAB HE COULD
HAVE DONE HIMSELF DURING HIS LIFETIME AND

IF SHE\PAR \TAB SHALL JUDGE IT MORE
EXPEDIENT THE SAID COLL.ROBERT
MCKINZIE\PAR \TAB BINDS AND OBLIGES
HIMSELF WHEN REQUIRED TO INVEST THE
SAID\PAR \TAB SUM OF FOUR THOUSANT
POUNDS STERLING IN THE BRITISH FUNDS\PAR
\TAB IN HER NAME TO———— THE SAID ————
ANNUITY AND TO LAY\PAR \TAB OUT THE SAME
OR HERITABLE SECURITY AND TO TAKE THE
SECURITY\PAR \TAB THEREFORE PAYABLE TO
HER IN LIFERENT DURING ALL THE DAYS\PAR
\TAB OF HER LIFETIME AND TO THE CHILDREN
OF THE MARRIAGE IN THE\PAR \TAB EVENTS
PREMENTIONED IN FEE TO ANSWER IN WHOLE
OR IN PART\PAR \TAB AS CIRCUMSTANCES MAY
BE THEIR SAID PROVISION DECLARING
ALSO\PAR \TAB THAT THE CHILDREN TO BE
PROCREATE OF THE MARRIAGE SHALL
DURING\PAR \TAB THE LIFE OF THEIR FATHER
BE MAINTAINED AND EDUCATED \PAR \TAB
SUITABLE O THEIR STATION BY HIM AND IN THE
EVENT OF HIS DECEASE\PAR \TAB PREVIOUS TO
THEIR ARRIVING AT THE YEARS OF MAJORITY
THAT THEIR\PAR \TAB SAID MOTHER SHALL BE
THEIR TUTORS AND CURATORS AND SHALL\PAR
\TAB UPLIFT RECEIVE AND DISCHARGE THE
INTEREST OF THE MONEYS \PAR \TAB BEFORE
PROVIDED TO THEM UNTIL THEIR ARRIVAL AT
THE AGE OF\PAR \TAB FIFTEEN YEARS IF MALE
CHILDREN ON THEIR MAJORITY AT\PAR \TAB
MARRIAGE IF FEMALE IN LIEU OF THEIR
EDUCATION AND MAINTAINANCE\PAR \TAB AND
FURTHER THE SAID COLL. ROBERT MCKINZIE IN
THE EVENT\PAR \TAB OF THE SAID MISS
KATHERINE SUTHERLAND SURVIVING HIM
ASSIGNS\PAR \TAB CONVEYS AND MAKES OVER
TO HER HEIRS AND ASSIGNEES AS HER\PAR
\TAB OWN UNDOUBTED PROPERTY THE WHOLE
HOSEHOLD FURNITURE\PAR \TAB AND

PLENISHING OF EVERY DENOMINATION BED AND
 TABLE LINEN\PAR \TAB — AND TABLE CHINA
 SILVERPLATE AND IN GENERALL EVERY\PAR
 \TAB ARTICLE OF HOUSEHOLD OF FURNITURE
 AND PLENISHING THAT\PAR \TAB SHALL
 PERTAIN AND BELONG TO HIM OR BE IN
 COMMUNION\PAR \TAB BETWIXT THEM AT THE
 TIME OF HIS DECEASE DISPENSING\PAR \TAB
 WITH THE GENERALITY HEREOF AND ADMITTING
 THE SAME TO\PAR \TAB BE EQUALLY GOOD
 VALID AND SUFFICIENT AS IF EVERY
 ARTICLE\PAR \TAB THEN BELONGING TO HIM
 WERE HEREIN PARTICULARY INSERTED\PAR
 \TAB MOREOVER THE SAID COLL.ROBERT
 MCKINZIE HEREBY RENOUNCES\PAR \TAB AND
 GIVES UP FOR HIMSELF HIS HEIRS AND
 SUCCESSORS\PAR \TAB ANY CLAIM OR TITLE HE
 MIGHT HAVE JURE MARITE OR OTHERWAYS\PAR
 \TAB TO ANY MONEY MEANS OR EFFECTS
 PRESENTLY BELONGING TO THE\PAR \TAB SAID
 MISS KATHERINE SUTHERLAND OR TO WHICH
 SHE MAY HEREAFTER\PAR \TAB HAVE RIGHT
 ANY MANNER OF WAY AND PARTICULARY
 WITHOUT\PAR \TAB PREDUDICE TO THE
 GENERALITY FORESAID TO A BOND FOR
 FIVE\PAR \TAB HUNDRED POUNDS STIRLING
 GRANTED TO HER BY SIR EWEN BAILLIE\PAR
 \TAB OF THE EAST INDIA COMPANY SERVICE
 AND TO ANY CLAIM OF PROVISION\PAR \TAB
 MADE IN HER FAVOUR BY HEIRS AND DECEASED
 FATHER DECLARING\PAR \TAB THE SAME HER
 OWN PROPERTY AND AS HER DISPOSAL IN
 ANY\PAR \TAB MANNER SHE MAY THINK PROPER
 WITHOUT HIS CONCENT\PAR \TAB ARE
 APPROBATION AND FURTHER THE SAID
 COLL.ROBERT\PAR \TAB MCKENZIE DISPONES
 CONVEYS AND MAKES OVER FROM HIM HIS
 HEIRS\PAR \TAB AND SUCCESSORS TO AND IN
 FAVOUR OF THE SAID MISS KATHERINE\PAR
 \TAB SUTHERLAND HIS AFFIDATE SPOUSE HIS

HEIRS ASSIGNEES WHOMSOEVER\PAR \TAB
UNDER THE BURDEN OF THE PAYMENT OF THE
YEARLY FEU DUTY PAYABLE\PAR \TAB OUT
THEREOF HERITABLE AND IRREDEEMABLE ALL
AND HAILLE THAT\PAR \TAB HOUSE LYING IN
THE VILLAGE OF NEW TARBET CALLED
MILMOUNT\PAR \TAB CALLED MILLMOUNT WICH
THE GARDEN BACK CLOSE \PAR \TAB AND
WHOLE PARTS PENDICLES AND PERTINENTS
THERETO BELONGING\PAR \TAB BOUNDED ON
THE WEST BY THE HIGH ROAD LEADING
THROUGH\PAR \TAB MILMOUNT AND ON THE
SOUTH BY THE WATER – OR AS THE\PAR \TAB
SAME MAY BE OTHERWAYS BOUNDED AND
DESCRIBED IN HIS RIGHTS AND \PAR \TAB
INFETMENTS THEREOF ALL LYING IN THE
PARISH OF KILMUIR AND COUNTY\PAR \TAB OF
ROSS TOGETHER WITH ALL RIGHT AND CLAIM OF
RIGHT OF PROPERTY\PAR \TAB AND
POSSESSION WHICH HE CAN CLAIM OR
PRETEND THERETO ANY MANNER\PAR \TAB OF
WAY IN WHICH HOUSE WITH THE GARDEN AND
PERTINENTS BEFORE\PAR \TAB MENTIONED THE
SAID COLL.ROBERT MCKINZIE BIND AND
OBLIGES HIM HIS\PAR \TAB HEIRS SUCCESSORS
TO INFET AND LEASE THE SAID MISS
KATHERINE\TAB\PAR \TAB SUTHERLAND HIS
AFFIDATE SPOUSE HERITABLE AND
IRREDEEMABLE\PAR \TAB AND THAT BY
RESIGNATION OR CONFIRMATION OR BOTH THE
ONE\PAR \TAB WITHOUT PREJUDICE OF THE
OTHER AND FOR EXPEDING THE SAID\PAR \TAB
INFETMENT BY RESIGNATION HEREBY MAKES
AND CONSTITUTES\PAR \TAB AND EACH OF
THEM CONLLIE AND SEALLIE HIS UNDOUBTED —
\PAR \TAB AND COMMISSIONERS TO THE OFFICE
UNDER WRITEN GIVING GRANTING\PAR \TAB
AND COMMITTING TO THEM FULL POWER
WARRANT AND COMMISSION\PAR \TAB FOR HIM

AND IN HIS NAME TO COMPEAR HEREFOR\PAR
 \TAB HIS IMMEDIATE LAWFULL SUPERIORS OF
 THE SAID SUBJECTS\PAR \TAB OR THEIR
 COMMISSIONERS HAVING POWER TO RECEIVE
 RESIGNATIONS\PAR \TAB AND TO GRANT NEW
 INFETEMENTS THEREON AND THAT UPON\PAR
 \TAB THE GROUND THEREOF AT ANY TIME
 LAWFULL AND CONVENIENT\PAR \TAB AND
 THEM AND THERE WITH ALL DUE REVERENCE
 AND HUMILITY\PAR \TAB AS BECOMES PURELY
 AND SIMPLY BY STAFF AND BATTON AS USE\PAR
 \TAB IS TO RESIGN AND SURRENDER LIKEAS THE
 SAID COLL. ROBERT MCKINZIE\PAR \TAB
 HEREBY RESIGNS RENOUNCES SURRENDERS UP
 GIVES OVER GIVES \PAR \TAB AND DELIVERS
 ALL AND HAILLE THE HOUSE GARDEN AND
 PERTINENTS \PAR \TAB CALLED MILLMOUNT
 LYING IN THE SAID VILLAGE OF MILMOUNT OF
 NEW\PAR \TAB TARBET PARISH OF KILMUIR AND
 COUNTY OF ROSS AFORESAID AS \PAR \TAB
 DESCRIBED AND HEREHELD AS REPEATED
 BREVALITIS CAUSA OR AS\PAR \TAB THE SAME
 ARE MORE PARTICULARY BOUNDED AND
 DESCRIBED IN HIS \PAR \TAB RIGHTS AND
 INFETMENTS THEREOF INTO THE HANDS OF HIS
 \PAR \TAB IMMEDIATE LAWFULL SUPERIORS
 THEREOF IN FAVOUR AND FOR\PAR \TAB NEW
 INFETMENTS OF THE SAME TO BE MADE GIVEN
 AND GRANTED\PAR \TAB TO THE SAID MISS
 KATHERINE SUTHERLAND HIS AFFIDATE
 SPOUSE\PAR \TAB IN SUCH DUE AND
 COMPETENT FORM AS OFFERS ALL
 INSTRUMENTS\PAR \TAB AND DOCUMENTS
 THEREAPON TO TAKE AND GENERALLY
 EVERY\PAR \TAB OTHERTHING THEREANNENT
 TO DO WHICH HE COULD DO \PAR \TAB HIMSELF
 IF PERSONALLY PRESENT ALL WHICH HE
 HEREBY PROMISES\PAR \TAB TO HOLD FIRM
 AND STABLE WITHOUT RESERVATION WHICH
 DISPOSITION\PAR \TAB AND SUBJECTS THEREBY

CONVEYED THE SAID COLL. ROBERT MCKINZIE\PAR \TAB BINDS AND OBLIGES HIM HIS HEIRS AND SUCCESSORS TO WARRANT TO\PAR \TAB THE SAID MISS KATHERINE SUTHERLAND HIS AFFIDATE SPOUSE AND\PAR \TAB HER FORESAIDS AS ALL HANDS AND AGAINST ALL DEADLY AS LAW\PAR \TAB WILL AND HEREBY MAKES AND CONSTITUTES THE SAID MISS KATHERINE\PAR \TAB SUTHERLAND AND HER FORSAIDS HIS COMMISSIONERS AND ASSIGNEES\PAR \TAB NOT ONLY IN AND TO THE RENTS MAILLS AND DUTIES THEREOF IN TIME\PAR \TAB COMING BUT ALSO IN AND TO THE TITLES WRITS AND EVIDENTS THEREOF\PAR \TAB CONCEIVED INFAVOUR OF HIM HIS PREDECESSORS OR AUTHORS AND WHICH\PAR \TAB ASSIGNATION ABOVE WRITEN HE HEREBY BINDS AND OBLIGES HIM\PAR \TAB AND HIS FORESAID TO WARRANT AS FOLLOW VIZ. IN SO FAR AS CONCERNS\PAR \TAB THE WRITS AND EVIDENTS AS ALL HANDS AND AGAINST ALL DEADLY AS LAW\PAR \TAB WILL AND IN SO FAR AS CONCERNS THE RENTS MAILLS AND DUTIES FROM\PAR \TAB HIS OWN PROPER FAILS AND DEEDS ALL NAMELY AND IT IS HEREBY AGREED\PAR \TAB UPON BETWIX THE PARTIES THAT EXECUTION SHALL PASS HEREON AT THE\PAR \TAB INSTANCE OF THE SAID CAPTAIN GEORGE SACKVILLE SUTHERLAND\PAR \TAB ROBERT SUTHERLAND ESQ. OF THE ISLAND OF ST VINCENT AND COLL.\PAR \TAB ALEXANDER BAILLIE OF KNOCHBRACHE OR ANY ONE OR MORE OF THEM\PAR \TAB OR THEIR HEIRS AGAINST THE SAID COLL. ROBERT MCKINZIE FOR\PAR \TAB IMPLEMENT AND PERFORMANCE IN FAVOUYR OF THE SAID MISS KATHERINE\PAR \TAB SUTHERLAND AND THE ISSUE OF THE SAID MARRIAGE OF THE PROVISION\PAR \TAB AND PRESTATIONS ABOVE WRITEN CONCEIVED IN

THEIR FAVOUR AND \PAR \TAB DECLARING THAT
 THE PRESENT MARRIAGE SHOULD ABSOLVE —
 \PAR \TAB YEARS AND DAY FROM THE
 SOLEMNIZATION THEREOF WITHOUT A \PAR \TAB
 LIVING CHILD BEING HEARD BUT YET THIS
 PRESENT CONTRACT SHALL \PAR \TAB SUBSIST
 IN ITS FULL FORCE AND EFFECT IN FAVOUR OF
 THE SAID \PAR \TAB MISS KATHERINE
 SUTHERLAND ANY LAW OR PRACTICE TO THE
 \PAR \TAB CONTRARY NOTWITHSTANDING AND
 THEY CONSENT TO THE \PAR \TAB RESIGNATION
 HEREOF IN THE BOOKS OF COUNCIL AND
 SESSION \PAR \TAB OTHER COMPETENT THEREIN
 TO REMAIN FOR PRESERVATION \PAR \TAB AND
 IF NEED BE THAT ALL EXECUTION NECESSARY
 MAY \PAR \TAB PASS AND BE DIRECT HEREIN AS
 OFFERS AND THERETO \PAR \TAB THEY
 CONSTITUTE THEIR PROCULATORS AND
 COMMISSIONERS \PAR \TAB ALL TO THE EFFECT
 THE SAID MISS KATHERINE SUTHERLAND \PAR
 \TAB MAY BE INFECT AND LEASED IN THE SAID
 HOUSE GARDEN AND \PAR \TAB PERTINENTS
 THE SAID COLL. ROBERT MCKINZIE HEREBY
 DESIRES AND \PAR \TAB REQUIRES YOU AND
 EACH OF YOU CONLLIE AND SEALLIE HIS
 BAILLIES \PAR \TAB IN THAT PART HEREBY
 SPEEDILY CONSTITUTE THESE PRESENTS \PAR
 \TAB — PASS TO THE SAID SUBJECTS AND
 THERE GIVE AND DELIVER \PAR \TAB TO THE
 SAID MISS KATHERINE SUTHERLAND HERITABLE
 STATE \PAR \TAB AND SASINE REAL AND
 ACTUALL AND CORPOREAL POSSESSION \PAR
 \TAB OF ALL AND HAILLE THE HOUSE GARDEN
 AND PERTINENTS BEFORE \PAR \TAB DESCRIBED
 OR AS THE SAME ARE MORE PARTICULARY
 DESCRIBED \PAR \TAB IN HIS RIGHTS AND
 INFETMENTS THEREOF AND HERE HELD \PAR
 \TAB AS REPEATED BREVITATIS CAUSA CALLED
 MILLMOUNT IN THE \PAR \TAB SAID VILLAGE OF
 MILLMOUNT OF NEW TARBET PARISH OF

KILMUIR\PAR \TAB AND COUNTY OF ROSS WITH
THE WHOLE PARTS PENDICLES AND\PAR \TAB
PERTINENTS THERETO BELONGING AND THAT
BY DELIVERING \PAR \TAB TO THE SAID MISS
KATHERINE SUTHERLAND OR HER
ATTORNEY\PAR \TAB OR ATTORNEYS WHOM
NAME BEARER HEREOF\PAR \TAB _____
_____\PAR \TAB SYMBOLLS
USUALL AND NECESSARY BUT ALWAYS UNDER
THE\PAR \TAB BURDEN OF THE FEU DUTY
PAYABLE OUT THEREOF AND THIS IN\PAR \TAB
NOWAYS LEAVE UNDONE THE WHICH TO DO THE
SAID COLL.\PAR \TAB ROBERT MACKENZIE
COMMITTS TO YOU AND EACH OF YOU\PAR \TAB
CONLLIE AND SEALLIE AS SAID IS HIS FULL
POWER BY THIS HIS\PAR \TAB PRECEPT OF
SASINE DIRECTED TO YOU FOR THAT
EFFECT\PAR \TAB IN WITNESS WHEREOF BOTH
PARTIES HAVE SUBSCRIBED THESE\PAR \TAB
PRESENTS TOGETHER WITH ANOTHER
DUPLICATE HEREOF WROTE\PAR \TAB UPON
THIS AND THE SIX PRECEEDING PAGES OF
PAPER DULY STAMPED\PAR \TAB WORDING TO
LAW BY THOMAS SUTER SHERIFF CLERK OF
ROSS\PAR \TAB\CF1 BRAILANGWELL\CF2 THE
FIFETEENTH DAY OF AUGUST 1801 YEARS\PAR
\TAB BEFORE THESE WITNESSES THE SAID
COLL.ALEXANDER BAILLIE OF\PAR \TAB
KNOCHBRECK MR ALEXANDER BAILLIE HIS SON
AND THE SAID\PAR \TAB THOMAS SUTER WRITER
HEREOF.\PAR \PAR \PAR \TAB\CF1 ROBERT
MCKINZIE\PAR \TAB KATHARINE
SUTHERLAND\PAR \TAB GEORGE SACKVILLE
SUTHERLAND\PAR \TAB ALEXANDER BAILLIE
WITNESS\PAR \TAB ALEXANDER BAILLIE HIS
SON WITNESS\PAR \TAB THOMAS SUTER
WITNESS\CF0\PAR \PAR \TAB\PAR \CF1\PAR
\TAB\tab\tab\tab\tab\tab\tab\tab\tab\CF0
\TAB\tab\tab\tab\tab\tab\tab\tab\tab\tab\tab

\TAB\tAB\tAB\tAB\tAB\tAB\tAB\tAB \PAR \PAR
\PAR \TAB\PAR }

40 JAMES MCGOWAN HEADMASTER

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\
\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0
GEORGIA;}}{\COLORTBL
;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;
\RED192\GREEN192\BLUE192;}{*\GENERATOR
MSFTEDIT
5.41.15.1503;}\VIEWKIND4\UC1\PAR\F0\Fs16\PAR
AR \TAB RD 3.331.831. FACTORY\PAR \PAR \PAR
\PAR \TAB ROBERT MCKENZIESOMETIMES IN
THE SERVICE OF THE HONOURABLE EAST \PAR
\TAB INDIA COMPANY \CF1 AND CAPTAIN
GEORGE SACKVILLE SUTHERLAND
RESIDING\PAR \TAB AT RHIVES \CF2 WHEREAS
THE SAID DECEASED COLONEL ROBERT
MCKENZIE\PAR \TAB BY DISPOSITION AND DEED
OF SETTLEMENT BEARING DATE THE
TWENTY\PAR \TAB SIXTH DAY OF NOVEMBER
EIGHTEEN HUNDRED AND TWO YEARS AND \PAR
\TAB RECORDED IN THE BOOKS OF COUNCIL
AND SESSION (OFFICE W.B.)\PAR \TAB THE
THIRTIETH DAY OF JULY EIGHTEEN HUNDRED
AND NINE GAVE\PAR \TAB GRANTED AND
DISPONED TO AND IN FAVOUR OF \CF1
ALEXANDER\PAR \TAB MACKENZIE HIS ELDEST
LAWFUL SON \CF2 WHOMFailing AS
THEREIN\PAR \TAB MENTIONED UNDER THE
CONDITIONS AND WITH THE PROVISIONS\PAR
\TAB THEREIN EXPRESSED ALL ESTATE AND
EFFECTS REAL PERSONAL\PAR \TAB HERITABLE
AND MOVEABLE THAT SHOULD PERTAIN AND
BELONG\PAR \TAB TO HIM AT THE TIME OF HIS

DEATH AND HE NOMINATED AND \PAR \TAB APPOINTED THE SAID \CF1 ALEXANDER MACKENZIE WHOM FAILING\CF2\PAR \TAB THE PERSONS THEREIN MENTIONED TO BE HIS SOLE EXECUTORS\PAR \TAB AND MOREOVER AS HE JUDGED IT PRUDENT TO NAME TUTORS\PAR \TAB AND CURATORS TO THE SAID \CF1 ALEXANDER MACKENZIE HIS SON\CF2\PAR \TAB AND TO ANY OTHER CHILD OR CHILDREN WHO MIGHT BE\PAR \TAB PROCREATED OF THE MARRIAGE TWIXT HIM AND ME THE SAID\PAR \TAB\CF1 MRS KATHERINE MACKENZIE AND\CF2 HAVING ENTIRE CONFIDENCE\PAR \TAB IN US THE SAID MRS KATHARINE MACKENZIE AND\CF3 \CF1 GEORGE SACKVILLE\PAR \TAB SUTHERLAND AND IN COLONEL LEWIS GRANT OF ACHAIRNOCH\PAR \TAB\CF2 LATE IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY\PAR \TAB\CF1 CAPTAIN CHARLES GRANT IN THE \CF2 SERVICE OF THE HONOURABLE\PAR \TAB EAST INDIA COMPANY ON THE BENGAL ESTABLISHMENT\PAR \TAB\CF1 COLONEL WILLIAM DUNCAN\CF2 IN THE SERVICE OF THE HONOURABLE\PAR \TAB EAST INDIA COMPANY \CF1 CAPTAIN HENRY WHITE \CF2 IN THE SERVICE\PAR \TAB OF THE SAID COMPANY AND SOMETIME AID DE CAMP TO THE \CF1\PAR \TAB MARQUIS WELLESBY AND COLIN MACKENZIE \CF2 WRITER TO THE SIGNET\PAR \TAB ONE OF THE PRINCIPAL CLERKS OF SESION HE THEREFOR\PAR \TAB NOMINATED AND APPOINTED US AND THE SAID \CF1 LEWIS GRANT\PAR \TAB CHARLES GRANT WILLIAM DUNCAN HENRY WHITE AND COLIN\PAR \TAB MACKENZIE AND THE ACCEPTING SURVIVORS OR SURVIVOR\PAR \TAB OF US AND THEM TO BE TUTORS AND CURATORS TO THE SAID\PAR \TAB ALEXANDER MACKENZIE HIS SON AND TO SUCH

OTHER CHILD\PAR \TAB OR CHILDREN AS MIGHT
BE PROCREATED OF THE SAID MARRIAGE\PAR
\TAB OF THE SAID ALEXANDER MACKENZIE AND
FOR US\cf2 AND IN OUR\PAR \TAB NAMES AS
TUTORS AS AFORESAID TO INTROMET WITH AND
\PAR \TAB ENTER ON THE POSSESSION AND
MANAGEMENT OF THE \PAR \TAB WHOLE
ESTATE AND EFFECTS REAL AND PERSONAL
HERITABLE\PAR \TAB AND MOVEABLE OF EVERY
DENOMINATION AND WHERESOEVER\PAR \TAB
SITUATED WHICH PERTAINED TO THE SAID
DECEASED\cf1 COLONEL\PAR \TAB ROBERT
MACKENZIE \cf2 AND TO WHICH THE SAID
ALEXANDER MACKENZIE\PAR \TAB HAS NOW
RIGHT IN VIRTUE OF THE GENERAL DISPOSITION
ABOVE\PAR \TAB NARRATED TO SUE FOR UPLIFT
AND RECOVER ALL ADDEBTED\PAR \TAB TO THE
SAID DECEASED \cf1 COLONEL ROBERT
MCKENZIE \cf2 AND ON\PAR \TAB PAYMENT TO
GRANT RECEIPTS AND DISCHARGES FOR THE
SAME\PAR \TAB WHICH SHALL BE AS VALID AND
EFFECTUAL TO THE RECEIVERS\PAR \TAB IF
GRANTED BY US TO SETTLE COMPOUND AND
TRANSACTION FOR ALL\PAR \TAB DEBTS CLAIMS
AND DEMANDS DUE AND UNPAID FROM THE
ESTATE\PAR \TAB OF THE DECEASED COLONEL
ROBERT MACKENZIE FOR WHICH THE\PAR \TAB
SAID\cf1 ALEXANDER MACKENZIE \cf2 MAY
ANYWAYS BE LIABLE\PAR \TAB AS
REPRESENTING HIM AND TO PURSUE AND
DEFENDABLE ACTION\TAB\PAR \TAB AT LAW
THAT MAY BE NECESSARY FOR ASCERTAINING
THE \PAR \TAB AMOUNTS OF THE SAID DEBTS
AND SUMS OF MONEY DUE TO THE SAID\PAR
\TAB DECEASED COLONEL ROBERT MACKENZIE
AS WELL AS THE SUMS\PAR \TAB DUE AND
UNPAID AFFECTING HIS ESTATE AND TO ENTER
INTO\PAR \TAB GENERAL OR PARTICULAR
SUBMISSIONS IN REGARDS TO SUCH DEBTS\PAR
\TAB CLAIMS AND DEMANDS BINDING AND

OBLIGING US AND THE SAID\cf1\PAR \TAB
ALEXANDER MACKENZIE TO ABIDE BY AND
IMPLEMENT AND FULFILL\PAR \TAB OUR PART
OF THE AMICABLE DECISIONS AND
DECREETS\cf2 ARBITRAL\PAR \TAB TO BE
PRONOUNCED IN SUCH SUBMISSIONS AND
GENERALLY\PAR \TAB WITH FULL POWER TO
OUR SAID FACTOR TO DO EVERY OTHER\PAR
\TAB THING FOR EFFECTING A SPEEDY AND
DISTINCT ARRANGEMENT\PAR \TAB OF THE
AFFAIRS OF THE SAID DECEASED\cf1 COLONEL
ROBERT\PAR \TAB MACKENZIE \cf2 AND
BRINGING HIS ESTATE AND EFFECTS TO
THE\PAR \TAB BEST ACCOUNT FOR BEHOOF OF
THE SAID \cf1 ALEXANDER MACKENZIE\PAR
\TAB\cf2 AND OUR OTHER PUPILS ABOVE
NAMED THAT WE COULD DO OURSELVES\PAR
\TAB AS TUTORS NOMINATE OR THAT IT IS
LEGALLY COMPETENT FOR\PAR \TAB MARRIAGE
DURING THE WHOLE PERIOD OF THEIR
RESPECTIVE\PAR \TAB PUPILARITIES AND
MINORITIES DECLARING THAT THE
MAJORITY\PAR \TAB OF THE PERSONS THEREIN
AND ABOVE NAMED ACCEPTING AND ALIVE\PAR
\TAB AT THE TIME OR ANY ONE OF THEM
ACCEPTING AND SURVIVING THE REST\PAR \TAB
SHOULD BE A QUORUM AND WHEREEAS THE
SAID \cf1 LEWIS GRANT \PAR \TAB CHARLES
GRANT WILLIAM DUNCAN HENRY WHITE AND
COLIN MCKENZIE\PAR \TAB\cf2 HAVE
DECLINED TO ACCEPT OR ACT UNDER THE
NOMINATION OF \PAR \TAB TUTORS AND
CURATORS ABOVE NARRATED SO THAT WE THE
SAID\PAR \TAB\cf1 MRS KATHARINE
MACKENZIE AND GEORGE SACKVILLE
SUTHERLAND\PAR \TAB ARE THE ONLY
ACCEPTING TUTORS NOMINATED OF THE
SAID\PAR \TAB ALEXANDER MACKENZIE AND OF
ELIZABETH BAILLIE MACKENZIE\PAR \TAB

MARGARET SUTHERLAND MACKENZIE AND
JAMES\PAR \TAB SUTHERLAND MACKENZIE\cf2
THE YOUNGER CHILDREN OF THE SAID\PAR \TAB
COLONEL ROBERT MACKENZIE PROCREATED OF
HIS SAID MARRIAGE\PAR \TAB ALL OF WHOM
ARE MINORS WITHIN THE YEARS OF
PUPILLARITY AND\PAR \TAB ON ENTERING ON
THE ADMINISTRATION AND MANAGEMENT OF
THE ESTATE\PAR \TAB WHICH PERTAINED TO
THE SAID COLONEL ROBERT MACKENZIE\PAR
\TAB FOR BEHOOF OF OUR SAID PUPILS TUTORS
FORESAID WE FIND IT NECESSARY\PAR \TAB
FOR THE PURPOSE OF SPEADILY AND
EFFECTING EXTRICATINGTHE SAME\PAR \TAB
BY PAYMENT OF THE DEBTS DUE BY THE SAID
DECEASED COLONEL\PAR \TAB ROBERT
MACKENZIE AND INVESTING THE RESIDUE OF
THE SAID ESTATE\PAR \TAB IN THE MANNER
MOST BENEFICIAL FOR OUR SAID PUPILS AND
ALL\PAR \TAB OTHERS CONCERNED TO APPOINT
A FIT PERSON TO BE OUR AGENT AND\PAR \TAB
FACTOR WITH POWERS TO BE OUR AGENT AND
FACTOR WITH POWERS\PAR \TAB TO INTROMIT
WITH THE SAME ESTATE AND EFFECTS FOR US
AND IN OUR \PAR \TAB NAMES AS TUTORS
FORESAID AND HAVING ENTIRE
CONFIDENCE\PAR \TAB IN THE CAPACITY AND
INTEGRITY OF \cf1 JOSEPH GORDON \cf2
WRITER\PAR \TAB TO THE SIGNET THEREFOR WE
HAVE NOMINATED CONSTITUTED\PAR \TAB AND
APPOINTED US WE DO HEREBY NOMINATED
CONSTITUTE AND\PAR \TAB APPOINT THE SAID
\cf1 JOSEPH GORDON \cf2 TO BE OUR AGENT
AND FACTOR\PAR \TAB GIVING GRANTING AND
COMMITTING POWER TO HIM FOR AND\PAR \TAB
IN THE NAME FOR ANY FACTOR OR ANY AGENT
TO DO IN THE LIKE CASE\PAR \TAB BINDING
HEREBY AND OBLIGING US TO RATIFY CONFIRM
AND APPOINT\PAR \TAB WHATEVER OUR SAID
FACTOR SHALL LAWFULLY DO OR CAUSE TO BE

DONE\PAR \TAB IN THE PREMISES AND
DECLARING THAT HE SHALL NOT BE LIABLE
FOR\PAR \TAB OMISSIONS BUT ONLY FOR HIS
ACTUAL INTROMISSIONS OF WHICH\PAR \TAB BY
ACCEPTING HEREOF HE SHALL BE BOUND AND
OBLIGED TO RENDER \PAR \TAB A TRUE AND
JUST ACCOUNT AS OFTEN AS REQUIRES AND WE
CONSENT\PAR \TAB TO THE REGISTRATION
HEREOF IN THE BOOKS OF COUNCIL AND\PAR
\TAB SESSION OR ANY OTHERS COMPETENT
THEREIN TO REMAIN FOR \PAR \TAB
PRESENTATION AND FOR THAT EFFECT WE
CONSTITUTE MR THOMAS\PAR \TAB THOMSON
ADVOCATE PROCURATOR IN WITNESS
WHEREOF THESE\PAR \TAB PRESENTS WRITEN
UPON THIS AND THE TWO PRECEEDING\PAR
\TAB PAGES OF STAMPTED PAPER BY \cf 1
ALEXANDER DUFF CLERK TO \PAR \TAB THE
SAID JOSEPH GORDON ARE SUBSCRIBED BY US
FOLLOWS\PAR \TAB VIZ. BY THE SAID CAPTAIN
GEORGE SACKVILLE SUTHERLAND\PAR \TAB AT
EDINBURGH THE 26/09/1809 YEARS BEFORE
THESE WITNESSSES\PAR \TAB ALEXANDER
STUART WRITER EDINBURGH\PAR \TAB
ALEXANDER DUFF CLERK\PAR \TAB MRS
KATHARINE MACKENZIE MILMOUNT
30/11/1809\PAR \TAB\cf 2 BEFORE THESE
WITNESSSES\PAR \TAB\cf 1 MR JAMES
MACGOWAN TEACHER MILMOUNT\PAR \TAB MR
JOHN MONTGOMERY POSTMASTER
PARKHILL\PAR \TAB SIGNED\cf 2 KATHARINE
MACKENZIE GEORGE SUTHERLAND\PAR \TAB
JAMES MACGOWAN WITNESS JOHN
MONTGOMERY\PAR \TAB WITNESS ALEXANDER
STUART ALEXANDER DUFF\cf 1\PAR
\TAB\cf 2\PAR \PAR \PAR \PAR \PAR \cf 0\PAR }

41 JOSEPH GORDON

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{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FPRQ2\FCHARSET0 ARIAL;}}{\COLORTBL;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;\RED0\GREEN0\BLUE255;}{\*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\FS20 2006-07-192:08:30 PM\PAR \PAR IN \CF1 RS3.1262.260 \CF2 PAGE AN INSTRUMENT OF SASINE \CF1 31.3.1817\CF2 \CF3 DISPOSITION AND ASSIGNATION \CF2 GRANTED BY KATHERINE SUTHERLAND TO ROBERT SUTHERLAND AND ROBERT SUTHERLAND THEREIN FORMERLY OF THE ISLAND OF ST
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VINCENT RESIDING IN MILLMOUNT EASTER-KIMUIR ROSSHIRE PROCURATOR AND ATTORNEY AND JAMES BAILLIE MERCHANT IN ROTTERDAM AND THAT WHICH BELONGED TO JAMES BAILLIE DISPONED OF BY KATHERINE SUTHERLAND THE OLD GREAT KILN OF MILTON WHERE THE DECEASED COLONEL ROBERT MCKENZIE MADE ADDITIONS THERETO. A MENTION OF SAMUEL SUTHERLAND SERVANT TO ROBERT SUTHERLAND AND JAMES PHILIP CLERK TO JOSEPH GORDON LEGAL FIRM REPRESENTING AND ARCHIBALD LOCKHART HOUSE SERVANT TO MRS COLONEL SUTHERLAND, YORK PLACE EDINBURGH. \PAR \PAR TO ENQUIRE TO THE CORRECTNESS OF THE QUESTION ABOUT THE SAME ROBERT SUTHERLAND ONE HAS TO EXAMINE THE RELATIONSHIP OF THE OTHER INDIVIDUALS IN THIS SASINE AND THIS IS MRS COLONEL SUTHERLAND, I AM AWARE THAT THIS INDIVIDUAL IS BROTHER TO A ROBERT SUTHERLAND OF ST VINCENT YET THE ONE REFERENCED IN THIS SASINE COULD BE HER UNCLE BROTHER TO COLONEL JAMES SUTHERLAND OF UPPAT WHO MARRIED ELIZABETH BAILLIE WHO BORN 1748 MARRIED 1768 DIED 21.10.1831 KILMUIR EASTER ROSSHIRE. IT IS A FACT THAT GEORGE SACKVILLE SUTHERLAND MARRIED JEAN MACKAY AND HAD EWEN WHO MARRIED ELIZABETH SUTHERLAN MACKENZIE AND A COPY OF A REFERENCE WITH THE WWW.FAMILYSEARCH.ORG. \PAR \PAR I HAVE MENTION OF ELIZABETH BAILLIE IN A REVERSION AND IS CERTAINLY THE SAME FAMILY. \PAR \CF0\PAR }

42 2 ACRES 3 ROODS 19 FALLS 1 EL GARAFAD

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{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{
\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0
GEORGIA;}}{\COLORTBL
;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;}
{\*\GENERATOR MsFTEDIT
5.41.15.1503;}\VIEWKIND4\UC1\PARD\FI-
568\LI568\RI-926\F0\Fs16\TAB RS3 / 1528\PAR
\TAB LORD MCDONALD TO THE COMMISSIONERS
TO HIGHLAND CHURCH'S\PAR \TAB\PAR \TAB AT
EDINBURGH 26 DECEMBER 1828 YEARS
BETWEEN THE HOURS OF\PAR \TAB THREE AND
FOUR AFTER NOON THE CONVEYANCE UNDER
WRITEN\PAR \TAB WAS PRESENTED BY ADAM
HATTON WRITER IN EDINBURGH AND\PAR \TAB
IS RECORDED IN THE ONE THOUSANT FIVE
HUNDRED AND TWENTY\TAB\PAR \TAB EIGHTH
BOOK OF THE NEW GENERAL REGISTER OF
SASINES \PAR \TAB REVERSIONS AND CONFORM
TO THE ACT OF PARLIAMENT MADE\PAR \TAB
THEREANENT IN JUNE 1617 AND WHEREOF THE
TENOR FOLLOWS\PAR \TAB VIZ... I THE RIGHT
HONOURABLE SIR GODFREY BOSVILLE \PAR
\TAB MACDONALD BARONET LORD MACDONALD
HERITABLE PROPRIETOR\PAR \TAB OF THE
SUBJECTS AFTER CONVEYED AS HEIR OF ENTAIL
SPECIALLY\PAR \TAB EMPOWERED TO
AUTHORISED TO GRANT THE CONVEYANCE
UNDER\PAR \TAB WRITTEN BY VIRTUE OF THE
ACT OF PARLIAMENT HEREIN AFTER\PAR \TAB
RECITED WHEREBY SECTION NINTH IT IS INTER
ALIA ENACTED\PAR \TAB THAT IT SHALL AND
MAY BE LAWFUL FOR ANY HEIR OF ENTAIL\PAR
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\TAB IN SCOTLAND WITH OR WITHOUT VALUABLE CONSIDERATION\PAR \TAB TO GIVE AND GRANT HERITABLY AND IRREDEMABLY TO THE\PAR \TAB COMMISSIONERS ACTING IN THE EXECUTION OF THE SAID\PAR \TAB ACT OF PARLIAMENT SUCH LAND OR HERITAGE BELONGING TO\PAR \TAB THEM AS MAY BE NECESSARY FOR ALL OR ANY OF THE \PAR \TAB PURPOSES SPECIFIED THEREIN DO HEREBY GRANT DISPONE \PAR \TAB AND CONVEY FROM ME AND MY HEIRS OF ENTAIL IN THE LANDS \PAR \TAB AND OTHERS AFTER MENTIONED TO THE COMMISSIONERS\PAR \TAB ACTING IN THE EXECUTION OF THE SAID ACT OF PARLIAMENT\PAR \TAB PASSED IN THE FIFTH YEAR OF THE REIGN OF HIS MAJESTY\PAR \TAB KING GEORGE THE \TAB FOURTH ENTITLED AN ACT TO AMEND\PAR \TAB AN ACT FOR BUILDING ADDITIONAL PLACES OF WORSHIP\PAR \TAB IN THE HIGHLANDS AND ISLANDS OF SCOTLAND ALL\PAR \TAB AND WHOLE THAT PIECE OF GROUND NEARLY OF A RECTANGULAR\PAR \TAB FORM PART OF THE FARM \cf1 GEARRIGHFADA \cf2 AND JOINING THE\PAR \TAB FARM OF \cf1 STENSCHOLL \cf2 DISTRICT OF \cf1 TROTTERNISH \cf2 IN THE\PAR \TAB\cf1 ISLAND OF SKYE \cf2 UPON WHICH THE SAID COMMISSIONERS HAVE\PAR \TAB UNDER THE PROVISIONS OF THE SAID ACT OF PARLIAMENT\PAR \TAB ERECTED A CHURCH AND A MANSE OR DWELLING HOUSE\PAR \TAB FOR THE MINISTER TO BE APPOINTED TO OFFICIATE\PAR \TAB AT THE SAID CHURCH A PORTION OF WHICH GROUND LYING\PAR \TAB TOWARD THE CENTRE OF THE SAID PIECE OF GROUND AND A PON\PAR \TAB WHICH BOTH THE SAID CHURCH AND MANSE HAVE BEEN BUILT\PAR \TAB AS APPROPRIATED AS A GARDEN BEING INCLOSED WITH STONE

WALLS\PAR \TAB ERECTED BY THE SAID
 COMMISSIONERS AND THE REMAINDER\PAR
 \TAB OF WHICH PIECE OF GROUND LYING BOTH
 TO THE SOUTH AND NORTH\PAR \TAB OF THE
 SAID GARDEN IS APPROPRIATED AS A GLEBE
 FOR THE\PAR \TAB USE OF THE SAID MINISTER
 WHICH PIECE OF GROUND INCLUDING\PAR \TAB
 THE SITE OF THE SAID CHURCH AND MANSE THE
 GARDEN\PAR \TAB AND THE GLEBE CONTAINED
 AN AREA OF \cf1 2 ACRES 3 ROODS\PAR \TAB
 19 FALLS AND ONE EL \cf2 OR THEREBY IN
 SCOTS LAND\PAR \TAB MEASURE LIES WHOLLY
 WITHIN THE SAID FARM OF \cf1
 GEARRIGHFADA\PAR \TAB\cf2 ON THE SOUTH
 SIDE OR RIGHT BANK OF THE RIVER \cf1
 KILMARTIN\PAR \TAB\cf2 WHICH IS THE
 BOUNDARY OF THE SAID PIECE OF LAND ON
 THE\PAR \TAB NORTH AND OPPOSITE TO THE
 FARM OF \cf1 STENSCHOLL \cf2 AND THE\PAR
 \TAB BOUNDERIES OF WHICH SO FAR AS NOT
 DESIGNATED BY THE STONE\PAR \TAB WALLS
 OF THE SAID GARDEN AND THE SAID RIVER OF
 KILMARTIN\PAR \TAB ARE MARKED ON THE
 SOUTH EAST AND WEST SIDES BY MARCH\PAR
 \TAB STONES INFIXED AND WHICH PIECE OF
 GROUND IS DESCRIBED\PAR \TAB ON A PLAN OR
 SKETCH MADE BY \cf1 MR JOSEPH MITCHELL
 SURVEYOR\PAR \TAB\cf2 EMPLOYED BY THE
 SAID COMMISSIONERS AND SUBSCRIBED BY ME
 AS\PAR \TAB RELATIVE TO THESE PRESENTS
 AND IS PART AND PORTION OF\PAR \TAB MY
 SAID FARM OF \cf1 GEARRIGHFADA \cf2 LYING
 IN THE \cf1 ISLAND OF SKYE\PAR \TAB\cf2
 WITHIN THE BARONY OF \cf1 MACDONALD \cf2
 PARISH OF \cf1 KILMUIR\PAR \TAB\cf2
 LORDSHIP OF THE ISLES AND SHERIFFDOM OF
 INVERNESS\PAR \TAB TOGETHER WITH THE
 LANDS PARSONAGE AND VICARAGE\PAR \TAB
 OF THE SAID PIECE OF GROUND HEREBY
 CONVEY AND\PAR \TAB ALL MY RIGHT TITLE AND

INTEREST IN AND TO THE SAID\PAR \TAB
SUBJECT AND EVERY PART THEREOF WITH FREE
ISH AND\PAR \TAB ENTRY TO THE SAID PIECE OF
GROUND HEREBY DISPONED\PAR \TAB AND
WITH THE PRIVILIGE TO THE MINISTER OF \CF1
STENSCHOLL\PAR \TAB\CF2 OR \CF1
GEARRIGHFADA\CF2 AND HIS SUCCESSORS IN
OFFICE OF\PAR \TAB CUTTING WINNING AND
CARVING AWAY PEATS FROM\PAR \TAB ONE OF
THE MOSSES IN THE CONVENIENT
NEIGHBOURHOOD\PAR \TAB BELONGING TO ME
AND ALSO WITH THE PRIVILEGE OF\PAR \TAB
GRAZING HIS HORSE AND TWO COWS UPON ONE
OF THE\PAR \TAB FARMS IN THE CONVENIENT
NEIGHBORHOOD BELONGING\PAR \TAB TO ME
AS THE SAME SHALL BE FIXED FOR THE TIME
BEING\PAR \TAB BY ME AND MY FORESAIDS AND
SHALL BE POINTED OUT BY OUR\PAR \TAB
CHAMBERLAIN TO HOLD TO THE SAME
COMMISSIONERS OR SUCH\PAR \TAB PERSON
OR PERSONS AS THEY SHALL APPOINT TO BE
DEVOTED\PAR \TAB FOR EVER TO THE
PURPOSES SPECIFIED IN AND BY VIRTUE\PAR
\TAB OF AND ACCORDING TO THE TRUE INTENT
AND MEANING\PAR \TAB OF THE SAID ACT
PASSED IN THE FIFTH YEAR OF THE REIGN\PAR
\TAB OF HIS PRESENT MAJESTY AND I THE SAID
\CF1 LORD MACDONALD\CF2\PAR \TAB BIND
AND OBLIGE MY SELF AND THE HEIRS OF
ENTAIL\PAR \TAB SUCCEEDING TO ME IN THE
SAID BARONY OF MACDONALD\PAR \TAB TO
FREE AND RELIEVE THE SAID SUBJECTS BEFORE
DISPONED\PAR \TAB OF ALL CESS MINISTERS
STIPEND SCHOOLMASTERS SALARY\PAR \TAB
FEU DUTY AND ALL OTHES PUBLIC AND
PAROCHIAL BURDENS\PAR \TAB FROM AND
AFTER THE TERM OF WHITSUNDAY 1828\PAR
\TAB WHICH IS HEREBY DECLARED TO HAVE
BEEN THE TERM\PAR \TAB OF THE SAID

COMMISSIONERS ENTRY TO THE PREMISES\PAR
\TAB AND FURTHER IN RESPECT THAT IT IS
NECESSARY\PAR \TAB THAT EFFECTUAL
PROVISION SHOULD BE MADE FOR THE\PAR
\TAB REPAIR OF SUCH PLACES OF WORSHIP AND
DWELLING\PAR \TAB HOUSES AND PREMISES
THERE TO ATTACHED AFTER THEY\PAR \TAB
SHALL HAVE BEEN BUILT OR PROVIDED SO IT IS
BY\PAR \TAB THE EIGHTEENTH SECTION OF THE
SAID RECITED\PAR \TAB ACT ENACTED THAT
WITH RESPECT TO EVERY SUCH\PAR \TAB
ADDITIONAL PLACE OF WORSHIP THE HERITOR
OR ANY\PAR \TAB TWO OF THE HERITORS
APPLYING FOR THE SAME HIS OR\PAR \TAB
THEIR HEIRS AND SUCCESSORS IN THE LANDS
SITUATED\PAR \TAB WITHIN THE DISTRICT FOR
WHICH SUCH ADDITIONAL PLACE\PAR \TAB OF
WORSHIP SHALL BE SET APART TO BE SPECIFIED
AND\PAR \TAB DESCRIBED FOR THAT PURPOSE
SHALL BY SUCH APPLICATION\PAR \TAB BE AND
BECOME BOUND TO KEEP AND MAINTAIN
SUCH\PAR \TAB ADDITIONAL PLACE OF
WORSHIP IN GOOD AND SUFFICIENT\PAR \TAB
REPAIR TO THE EXTENT HEREIN AFTER LIMITED
THAT IS\PAR \TAB TO SAY PROVIDED ALWAYS
THAT THE PRESENT OF SUCH ADDITIONAL\PAR
\TAB PLACE OF WORSHIP SHALL BE APPLIED
TOWARDS THE REPAIR\PAR \TAB OF SUCH
ADDITIONAL PLACE OF WORSHIP AND ALSO OF
THE\PAR \TAB DWELLING HOUSE AND OFFICES
OF THE MINISTER IN FIRST\PAR \TAB INSTANCE
UNDER THE DIRECTION OF THE SURVEYOR\PAR
\TAB APPOINTED BY THE COMMISSIONERS AND
IN DEFAULT OF\PAR \TAB HIS GIVING SUCH
DIRECTIONS DURING ONE WHOLE\PAR \TAB
YEAR THEN UNDER THE DIRECTIONS OF THE
HERITOR OR\PAR \TAB HERITORS UNDERTAKING
FOR THE REPAIR OF SUCH ADDITIONAL\PAR
\TAB PLACE OF WORSHIP OF THE MINISTER AND
OF THE OFFICIATING\PAR \TAB ELDERS WHO

ARE ALSO HEREBY EMPOWERED TO GIVE DIRECTION\PAR \TAB FOR SMALL REPAIRS AT ANY TIME WHEN REQUISITE AND PROVIDED\PAR \TAB FURTHER THAT AFTER THE APPLICATION OF THE PEW RENTS THE\PAR \TAB EXPENSE TO BE DEFRAYED BY THE SAID HERITOR OR HERITORS \PAR \TAB SO APPLYING HIS OR THEIRHEIRS AND SUCCESSORS AS \PAR \TAB AFORESAID SHALL NOT IN ANY ONE YEARS EXCEED THE SUM OF \PAR \TAB ONE PER CENTUM UPON THE AMOUNT OF THE MONEY ORIGINALLY\PAR \TAB EXPENDED IN THE BUILDING OR PURCHASING AND COMPLETING\PAR \TAB SUCH ADDITIONAL PLACE OF WORSHIP OR IN CASE OF GIFT OF ANY\PAR \TAB BUILDING FOR THAT PURPOSE IN LIKE MANNER NOT EXCEEDING\PAR \TAB ONE PER CENTUM UPON THE ORIGINALVALUE OF THE SAME AS\PAR \TAB ESTIMATED BY THE SURVEYOR OF THE COMMISSIONERS TO\PAR \TAB WHICH EXTENT AND NO FURTHER THE SAID HERITOR OR\PAR \TAB HERITOR SHALL BE COMPELLABLE TO REPAIR THE SAME IN\PAR \TAB SUCH MANNER AS HERITORS ARE COMPELLABLE BY LAW\PAR \TAB TO REPAIR PARISH CHURCHS IN SCOTLAND BUT IT IS FURTHER\PAR \TAB ENACTED THAT THE PEW RENTS AS BEFORE MENTIONED SHALL\PAR \TAB ALSO BE SET APART AND APPLIED TO A CERTAIN EXTENT TO \PAR \TAB THE REPAIR OF THE MINISTERS DWELLING HOUSE AND OFFICES\PAR \TAB AS WELL AS TO THE REPAIR OF THE SAID ADDITIONAL PLACE\PAR \TAB OF WORSHIP THEREFOR I THE SAID LORD MACDONALD DO CONFESS\PAR \TAB AND DECLARE THAT IN RESPECT OFMY HAVING BEEN THE APPLYING\PAR \TAB HERITOR FOR THE SAID ADDITIONAL PLACE OF WORSHIP AT \PAR \TAB STENSCHOLL THE FOLLOWING PARTS AND

PORTIONS OF MY LANDS\PAR \TAB AT LEAST SO MUCH THEREFOR AS SHALL BE FOUND TO LYE WITHIN\PAR \TAB THE DISTRICT TO BE SET APART FOR THE SAID ADDITIONAL\PAR \TAB PLACE OF WORSHIP TOGETHER WITH ANY OTHER LANDS BELONGING\PAR \TAB TO ME WHICH SHALL BE FOUND TO LYE WITHIN THE DISTRICT TO \PAR \TAB BE SET APART FOR THE SAID ADDITIONAL PLACE OF WORSHIP\PAR \TAB ARE UNDER THE SAID ACT OF PARLIAMENT BURDENED AND\PAR \TAB AFFECTED IN THE PERSONS OF ME AND MY HEIRS OF ENTAIL\PAR \TAB IN THE SAID LANDS IN A REAL BURDEN IS ERECTED THEREON\PAR \TAB IN FAVOUR OF THE SAID COMMISSIONER BY AND THROUGH THE\PAR \TAB OBLIGATION TO KEEP AND MAINTAIN THE SAID ADDITIONAL\PAR \TAB PLACE OF WORSHIP IN GOOD AND SUFFICIENT REPAIR IN THE\PAR \TAB MANNER WHICH IS IN THE SAID ACT OF PARLIAMENT\PAR \TAB PROVIDED VIZ... ALL AND WHOLE THE SAID FARMS OF\PAR \TAB\cf1 GARRIGHFADA \cf2 AND \cf1 STENSCHOLL \cf2 PARTS OF THE LANDS AND BARONY\PAR \TAB OF \cf1 MACDONALD \cf2 PARISH OF \cf1 KILMUIR WESTER \cf2 AND SHERIFFDOM\PAR \TAB OF INVERNESS AND IN FURTHER CORROBORATION OF THE SAID\PAR \TAB OBLIGATION I DO BY THESE PRESENTS BEND AND OBLIGE\PAR \TAB MYSELF AND MY HEIRS AND SUCCESSORS AND SPECIALLY\PAR \TAB MY HEIRS AND SUCESORS IN THE LANDS SITUATED WITHIN\PAR \TAB THE DISTRICT TO BE SET APART FOR THE SAID ADDITIONAL\PAR \TAB PLACE OF WORSHIP TO KEEP AND MAINTAIN THE SAID\PAR \TAB ADDITIONAL PLACE OF WORSHIP IN GOOD AND SUFFICIENT\PAR \TAB REPAIR TO THE EXTENT LIMITED AND AS PROVIDED BY THE SAID\PAR \TAB ACT OF PARLIAMENT THE MAXIMUM IN ANY ONE YEAR

BEING IN THE \PAR \TAB PRESENT CASE ONE PER CENTUM UPON THE SUM OF SEVEN HUNDRED\PAR \TAB AND FIFTY POUNDS STERLING BEING THE AMOUNT OF THE MONEY\PAR \TAB ORIGINALLY EXPENDED IN BUILDING THE SAID CHURCH AND I\PAR \TAB DO FURTHER BEND AND OBLIGE MYSELF AND MY FORESAIDS\PAR \TAB TO GRANT SUBSCRIBE AND DELIVER AT THE EXPENSE OF THE SAID\PAR \TAB COMMISSIONERS AND OTHER OBLIGATION DEED OR OTHER WRITING\PAR \TAB WHICH THEY MAY REQUIRE OR DEMAND FOR BETTER OR MORE\PAR \TAB EFFECTUALLY CONVEYING THE SAID PIECE OF GROUND AND OTHER\PAR \TAB TO THE SAID COMMISSIONERS AND CONFIRMING THE SAID \PAR \TAB OBLIGATION HEREIN CONTAINED AGAINST ME MY HEIRS\PAR \TAB AND SUCCESSORS AND SPECIALLY MY HEIRS AND SUCCESSORS\PAR \TAB IN THE LANDS SITUATED WITHIN THE SAID DISTRICT DECLARING \PAR \TAB ALWAYS AS IT IS HEREBY EXPRESSLY PROVIDED AND DECLARED\PAR \TAB THAT NOTHING CONTAINED IN THE PRECEDING OBLIGATION SHALL\PAR \TAB INFER AN IRRITANCY AGAINST ME OR MY FORESAIDS UNDER THE \PAR \TAB ENTAIL OF SAID LANDS AND BARONY OF \cf1 MACDONALD \cf2 NOR\PAR \TAB BE CONSTRUED TO AFFECT OR BURDEN THE LANDS BEFORE\PAR \TAB DESCRIBED FOR THE PURPOSE OF THE REPAIR OF THE SAID\PAR \TAB PLACE OF WORSHIP IN ANY MANNER INCONSISTENT\PAR \TAB WITH THE CONDITIONS OF THE SAID ENTAIL EXCEPT IN SO FAR AS\PAR \TAB I AM AUTHORISED TO GRANT THE SAID OBLIGATION TO THE\PAR \TAB EFFECT FORESAID BY AND THROUGH THE BEFORE RECITED\PAR \TAB ACT OF PARLIAMENT AND WITH AND UNDER WHICH PROVISION\PAR \TAB

AND DECLARATION THE FORESAID OBLIGATION
IN\PAR \TAB SO FAR AS AFFECTS THE SAID
ENTAILED ESTATE OR ANY PART OF IT\PAR \TAB
IS GRANTED AND NO OTHERWISE AND I
CONSENT TO THE \PAR \TAB REGISTRATION
HEREOF IN THE GENERAL OR PARTICULAR\PAR
\TAB REGISTER OF SASINES FOR PUBLICATION
AND IN THE BOOKS OF\PAR \TAB COUNCIL AND
SESSION FOR PRESERVATION AND THAT
ALL\PAR \TAB NECESSARY EXECUTION MAY
PASS HEREON IN FORM AS EFFECTS\PAR \TAB
AND FOR THAT PURPOSE CONSTITUTE MY
PROCURATORS\PAR \TAB AND IN WITNESS
WHEREOF I HAVE SET MY HAND TO THESE \PAR
\TAB PRESENTS WRITTEN APON THIS AND THE
TWO PRECEDING\PAR \TAB PAGES OF STAMPED
PAPER BY \cf1 JAMES HATTON \cf2 CLERK
TO\cf1 \PAR \TAB JAMES HOPE\cf2 WRITER TO
THE SIGNET TOGETHER WITH\PAR \TAB THE
MARGINAL NOTE ON PAGE THIRD HEREOF ALSO
WRITTEN\PAR \TAB BY THE SAID \cf1 JAMES
HATTON \cf2 AT EDINBURGH THE TWENTY\PAR
\TAB SECOND DAY OF DECEMBER EIGHTEEN
HUNDRED AND TWENTY\PAR \TAB EIGHT
BEFORE THESE WITNESSES \cf1 EDWARD
HILLMAN \cf2 FOOTMAN\PAR \TAB AND \cf1
L.HALLMAN\cf2 UNDER BUTLER TO ME THE
SAID \cf1 LORD\PAR \TAB MACDONALD \cf2
SIGNED \cf1 MACDONALD EDWARD HILLMAN
\cf2 WITNESS\PAR \TAB\cf1 L.HALLAM \cf2
WRITEN BY \cf1 A.RUSSELL.\PAR \TAB\cf0\PAR

43 1812 EDINBURGH

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}{\F1\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\FS16 SASINE TUTORS OF ALEXANDER MACKENZIE AND OTHERS\PAR \PAR AT EDINBURGH THE FIFTEENTH DAY OF MAY EIGHTEEN HUNDRED AND TWELVE YEARS BETWEEN THE HOURS OF

TWELVE AND ONE AFTERNOON THE SASINE UNDERWRITEN WAS PRESENTED BY WILLIAM ASHER WRER IN EDINBURGH AND IS RECORDED IN THE NINE HUNDRED AND TWENTIETH BOOK OF THE NEW GENERAL REGISTER OF SASINES REVERSIONS AND CONFORM TO THE ACT OF PARLIAMENT MADE THEREANENT IN JUNE 1617 AND WHEREOF THE TENOR FOLLOWS VIZ IN THE NAME OF GOD AMEN BE IT KNOWN TO ALL MEN BY THIS PRESENT PUBLIC INSTRUMENT THAT UPON THE SIXTEENTH DAY OF APRIL IN THE YEAR OF FOUR LORD ONE THOUSAND EIGHT HUNDRED AND TWELVE AND IN THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD BY THE GRACE OF GOD OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND KING DEFENDER OF THE FAITH THE FIFTY SECOND YEAR IN THE PRESENCE OF ME NOTARY PUBLIC AND OF THE WITNESSES SUBSCRIBING APPEARED PERSONALLY WILLIAM MACKAY FARM SERVANT AT ARBOLL AS PROCURATOR FOR AND IN THE NAME AND BEHALF OF MRS KATHARINE SUTHERLAND OR MACKENZIE RELICT OF THE DECEASED COLONEL ROBERT MACKENZIE SOME TIME OF THE SERVICE OF THE HONOURABLE THE EAST INDIA COMPANY AND GEORGE SACKVILLE SUTHERLAND ESQUIRE TACKSMAN OF RHIVES THE ACCEPTING AND ACTING TUTORS AND CURATORS NOMINATED BY DISPOSITION AND DEED OF SETTLEMENT EXECUTED BY THE SAID COLONEL ROBERT MACKENZIE OF DATE THE TWENTY SIXTH DAY OF NOVEMBER ONE THOUSAND EIGHT HUNDRED AND TWO AND REGISTERED IN THE BOOKS OF SESSION OFFICE WB THE THIRTY FIRST DAY OF JULY ONE THOUSAND EIGHT HUNDRED AND NINE TO ALEXANDER MACKENZIE ELDEST SON OF THE SAID COLONEL ROBERT MACKENZIE AND GENERAL DISPONEE AND EXECUTOR OF HIS FATHER UNDER THE SAID DEED AND TO THE

OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE AND ADMINISTRATORS AS TUTORS OF THE SAID ALEXANDER MACKENZIE THE EXECUTOR TO AND UPON THE ESTATE AND EFFECT OF THE SAID COLONEL ROBERT MACKENZIE WHOSE POWER OF PROCURATORY WAS SUFFICIENTLY KNOWN TO ME THE SAID NOTARY PUBLIC AND PASSED WITH US AND ALEXANDER MACKENZIE FARM SERVANT AT ARBOLL BAILLIE IN THAT PART SPECIALLY CONSTITUTED BY VIRTUE OF THE PRECEPT OF SASINE AFTER INSERTED TO THE GROUNDS OF THE LANDS AND OTHERS AFTER MENTIONED RESPECTIVELY AND SUCCESSIVELY HAVING AND HOLDING IN HIS HANDS AN HERITABLE BOND OF THE DATE AFTER MENTIONED CONTAINING THEREIN THE PRECEPT OF SASINE AFTER INSERTED MADE AND GRANTED BY DONALD MACLEOD OF GEANIES ESQUIRE WHEREBY FOR THE CAUSES THEREIN SPECIFIED BE BOUND AND OBLIGED HIMSELF HIS HEIRS EXECUTORS AND SUCCESSORS WHOMSOEVER TO CONTEND AND REPAY TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND TO THE SURVIVORS OF THEM TWO AS TUTORS AND CURATORS FORESAID FOR BEHOOF OF THEIR PUPILS THE SAID ALEXANDER MACKENZIE GENERAL DISPONEE AND EXECUTOR FORESAID AND THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE AND TO THE ASSIGNEES OF THE SAID TUTORS OR SURVIVOR OF THEM THE SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING AND THAT AT AND AGAINST THE TERM OF MARTINMAS NEXT IN THIS PRESENT YEAR WITH THE SUM OF NINE HUNDRED POUNDS STERLING OF LIQUIDATE PENALTY IN CASE OF FAILURE AND THE LEGAL ANNUAL RENT OF THE

SAID PRINCIPAL SUM FROM THE DATE THEREOF TO THE SAID TERM OF PAYMENT AND THEREAFTER SO LONG AS THE SAME REMAINS UNPAID AT TWO TERMS IN THE YEAR WHITSUNDAY AND MARTINMAS BY EQUAL PORTIONS BEGINNING THE FIRST TERMS PAYMENT OF THE SAID ANNUAL RENT AT THE SAID TERM OF MARTINMASS NEXT FOR WHAT SHALL BE DUE FROM THE DATE OF THE SAID BOND TO THAT TERM AND THE NEXT TERMS PAYMENT OF THE SAID ANNUAL RENT AT THE TERM OF WHITSUNDAY ONE THOUSAND EIGHT HUNDRED AND THIRTEEN FOR THE PRECEEDING HALF YEAR AND SO FORTH THERE AFTER HALF YEARLY BY EQUAL PORTIONS AS ABOVE MENTIONED DURING THE NOT PAYMENT OF THE SAID PRINCIPAL SUM WITH A FIFTH PART MORE OF EACH TERMS ANNUALRENT OF LIQUIDATE PENALTY IN CASE OF FAILURE IN THE PUNCTUAL PAYMENT OF THE SAID ANNUAL RENT AT THE TERMS AND BY THE PROPORTIONS ABOVE MENTIONED AND FOR THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVOR OF THEM AS TUTORS AND CURATORS FORESAID AND THEIR PUPILS AND THE ASSIGNEES OF THE SAID TUTORS AND CURATORS OR OF THE SURVIVORS OF THEM THEIR FURTHER SECURITY AND MORE SURE PAYMENT OF THE FORESAID SUMS OF PRINCIPAL ANNUAL RENT LIQUIDATE EXPENSE AND TERMLY FAILLIES THE SAID DONALD MACLEOD ESQUIRE BOUND AND OBLIGED HIM HIS HEIRS AND SUCCESSORS UPON HIS AND THEIR OWN PROPER CHARGES AND EXPENSES DULY AND LAWFULLY TO INFECT AND SEASE THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND AND THE SURVIVOR OF THEM TWO AS TUTORS AND CURATORS FORESAID FOR THE

BEHOOF OF THE SAID PUPILS AND THEIR ASSIGNEES FORESAID HERITABLY BUT UNDER REDEMPTION IN MANNER THEREIN AND AFTER MENTIONED NOT ONLY IN ALL AND WHOLE AN ANNUALRENT OF TWO HUNDRED AND FIFTY POUNDS STERLING OR SUCH ANNUAL RENT LESS OR MORE AS SHALL BY LAW EFFEIR AND CORRESPOND TO THE FORESAID PRINCIPAL SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING TO BE UPLIFTED AND TAKEN AT THE TERMS AND IN MANNER FORESAID DURING THE NOT REDEMPTION FURTH OF ALL AND WHOLE THE TOWN AND DAVOCH LANDS OF EASTER GEANIES AND HALF DAVOCH LANDS OF MID GEANIES WITH THE MANOR PLACE HOUSES BUILDINGS YARDS ORCHARDS MUIRS MARSHES WAYS WATERS LOCHS BURNS PASTURES MILLS MULTURES AND THEIR SEQUELS HAWKINGS HUNTINGS FISHINGS HARBOURS CUNNYS CUNNIGARS DOVES DOVECOATS COALS COAL HEUGHS SMIDDIES KILNS BREWERIES WHINS WOODS FORRESTS TWIGS TIMBER QUARRIES AS WELL STONE AS LIME WITH COURTS AND THEIR EMOLUMENTS HEREYELDS BLOODWITS FINES WITH COMMON PASTURE AND FREEISH AND ENTRY AND WITH ALL AND SUNDRRY OTHER LIBERTIES PROFITS IMMUNITIES AND THERE JUST PERTINENTS WHATSOEVER AS WELL NOT NAMED AS NAMED LYING IN THE PARISH OF TARBAT AND SHERIFFDOM OF ROSS AS THE SAID LANDS ARE DESCRIBED IN A CHARTER OF RESIGNATION UNDER THE GREAT SEAL IN FAVOUR OF THE SAID DONALD MACLEOD ESQUIRE DATED THE THIRD AND WRITTEN TO THE SEAL REGISTERED AND SEALED THE NINETEENTH DAYS OF MARCH LAST BY WHICH CHARTER IT IS DECLARED THAT ONE SASINE TO BE TAKEN BY HIM AND HIS HEIRS AND SUCCESSORS AT THE MANOR PLACE OF EASTER

GEANIES OR APON ANY PART OF THE GROUND OF THE SAID LANDS THEN AND IN ALL TIME COMING BY DELIVERY OF EARTH AND STONE OF THE GROUND THEREOF ONLY WITHOUT ANY OTHER SYMBOL SHALL BE AS VALID AND SUFFICIENT FOR ALL AND WHOLE THE SAID LANDS AND OTHERS AS IF PARTICULAR SASINES WERE TAKEN ON EACH PART OR PORTION OF THE SAME BY DELIVERY OF ALL THE USUAL SYMBOLS AS ALSO ALL AND WHOLE THE HALF OF TWO PARTS EXTENDING TO ONE THIRD PART OF THE LANDS OF ARBOLL AND ALL AND WHOLE THAT THIRD PART CALLED THE MIDDLE THIRD PART OF THE SAID LANDS OF ARBOLL WITH THE WHOLE MILL OF ARBOLL MILL LANDS MULTURES SEQUELS KNAVESHIPS AND PERTINENTS THEREOF WITH THE MANOR PLACE HOUSES BUILDINGS YARDS ORCHARDS TOFTS CROFTS OUTSETTS AND PENDICLES OF THE FORESAID TWO THIRD PARTS OF THE SAID LANDS WITH ALL THEIR PERTINENTS AND PENDICLES VIZ THAT PENDICLE CALLED AULDIGUHILBAR WITH THE MARCH AND MUIR CALLED MILBOY LYING CONTIGUOUS THERETO TOGETHER WITH THE LINKS OF ARBOLL MARSH AND MUIR CALLED LINTOWNQUHAT MARSH AND MUIR CONTIGUOUS THERETO AT THE EASTERN PART OF THE LANDS OF ARBOLL ON THE SOUTH PART THEREOF AND FROM THE EAST OF THE LOCH CALLED LOCHINTENNY WITH THE MOSS AND MUIR LYING CONTIGUE TO THE WESTERN PARTS OF ARBOLL AND ON THE SOUTH SIDE THEREOF WITH THE GREAT MARSH AND MUIR LYING CONTIGUOUS TO THE WEST PART THEREOF AT THE WEST WITH THE MUIR AND MARSH LYING CONTIGUOUS TOWARDS THE NORTH BY THE NORTHWEST PART OF ARBOLL NEAR THE SHORE CALLED THE SEASIDE OF KNOCKINGGEARICH TOGETHER WITH THE HARBOURS OF POLNEGRAGACH

PORTNACHLOCH PORTNAREST CALLED
LIKEWISE ST JOHN PORT WITH ST JOHNS
CHAPPEL AND THE PORT CALLED CAMRAY WITH
FULL POWER LIBERTY AND LICENCE OF
KEEPING FISH BOATS ONE OR MORE FOR TAKING
ALL KINDS OF FISHES AS WELL SALMON AS OF
HERRING MUSSELS AND COCKLES AND OTHER
FISH WITHIN THE SAID HARBOURS OR WITHIN
ANY OTHER PART OF THE SAID DIRECTLY
OPPOSITE TO THE SAID LANDS OF ARBOLL AND
OF GATHERING ALL KINDS OF FISH BAIT WITH
THE WHOLE WRECK AND WARE WITHIN THE
SAID BOUNDS AND TO APPLY THE SAME TO
THEIR OWN PROPER USE WITH THE LIBERT OF
DISCHARGING AND HINDERING ALL OTHER
PERSONS WHATSOEVER TO KEEP ANY FISH
BOATS OR TO TAKE ANY KIND OF FISH OR TO
GATHER FISH BAIT AND SEA WRECK AND WARE
WITHIN THE SAID BOUNDS IN ALL TIME COMING
ALL LYING WITHIN THE PARISH OF TARBAT AND
SHERIFFDOM OF ROSS AND BOUNDED IN
MANNER MENTIONED IN A CHARTER OF
ADJUDICATION UNDER THE GREAT SEAL IN
FAVOUR OF THE DECEASED HUGH MCLEOD OF
GENIES FATHER OF THE SAID DONALD
MACLEOD IN LIFERENT AND OF HIM THE SAID
DONALD MACLEOD IN FEE DATED THE SEVENTH
AND WRITTEN TO THE SEAL REGISTERED AND
SEALED THE TWENTY FIRST DAYS OF AUGUST
ONE THOUSAND SEVEN HUNDRED AND SIXTY
NINE BY WHICH CHARTER IT IS DECLARED THAT
ONE SASINE TO BE TAKEN BY THE SAID HUGH
AND DONALD MACLEOD AND THE HEIRS AND
ASSIGNEES OF THE SAID DONALD MCLEOD THEN
AND IN ALL TIME COMING AT THE MANOR PLACE
OF ARBOLL OR APON THE GROUND OF ANY
OTHER PART OF THE SAID LANDS AND OTHERS
ABOVE WRITTEN BY DELIVERY OF EARTH AND
STONE ONLY WITHOUT THE NECESSITY OF ANY

OTHER SYMBOLS SHALL BE AS VALID AND SUFFICIENT A SASINE FOR THE WHOLE OF THE SAID LANDS AND OTHERS ABOVE MENTIONED AS IF A PARTICULAR SASINE WERE TAKEN UPON EVERY PART THEREOF ALTHOUGH THE SAME BE DISCONTIGUOUS AND MIGHT HAVE REQUIRED DIFFERENT SYMBOLS OR FURTH OF ANY PART OR PORTION OF THE LANDS MILLS FISHINGS AND OTHER HERITAGES ABOVE SPECIFIED FIRST AND READIEST MAILLS FARMS PROFITS AND DUTIES OF THE SAME BUT ALSO ALL AND WHOLE THE SAID LANDS MILLS FISHINGS AND OTHER HERITAGES BEFORE SPECIFIED WITH THE PERTINENTS THEMSELVES IN FURTHER SECURITY TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM AS TUTORS FORESAID FOR BEHOOF OF THE SAID ALEXANDER MACKENZIE AND THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE AND THEIR ASSIGNEES FORESAID OF PAYMENT OF THE SAID SUMS OF MONEY PRINCIPAL ANNUAL RENT LIQUIDATE EXPENSES AND TERMPLY FAILURES RESPECTIVELY BEFORE SPECIFIED AND THAT BY TWO SEVERAL INFETMENTS AND MANNERS OF HOLDING THE ONE THEREOF TO BE HELD OF THE SAID DONALD MACLEOD AND HIS FORESAIDS AND THE OTHER OF THE SAID INFETMENTS TO BE HELD FROM HIM AND HIS FORESAIDS OF THEIR IMMEDIATE LAWFUL SUPERIORS OF THE SAID LANDS IN MANNER MENTIONED IN THE SAID HERITABLE BOND AS THE SAME CONTAINING PROCURATORY OF RESIGNATION THE PRECEPT OF SASINE AFTER INSERT CLAUSE OF ABSOLUTE WARRANDICE ASSIGNATION TO THE RENTS AND TITLE DEEDS AND CLAUSES OF REDEMPTION WITH OTHER USUAL AND NECESSARY CLAUSES IN ITSELF MORE FULLY BEARS WHICH HERITABLE BOND

CONTAINING THEREIN THE PRECEPT OF SASINE ABOVE MENTIONED AND HEREIN AFTER CONTAINED THE SAID ATTORNEY PRESENTED TO THE SAID BAILLIE AND DESIRED HIM TO PROCEED TO THE EXECUTION OF THE OFFICE OF BAILLIARY THEREBY COMMITTED TO HIM WHICH DESIRE THE SAID BAILLIE FINDING TO BE RESONABLE HE RECEIVED THE SAID HERITABLE BOND INTO HIS HANDS AND DELIVERED THE SAME TO ME NOTARY PUBLIC SUBSCRIBING TO BE READ AND PUBLISHED TO THE WITNESSES AND OTHERS PRESENT WHICH I DID AND OF WHICH PRECEPT THEREIN CONTAINED THE TENOR FOLLOWS VIZ MOREOVER TO THE EFFECT THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVERS OF THEM AS TUTORS AND CURATORS OF THE SAID ALEXANDER MACKENZIE ELDEST SON AND EXECUTOR AND THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE MAY BE INFECT AND SEASED FOR BEHOOF OF THEIR SAID PUPILS NOT ONLY IN THE ANNUAL RENT BEFORE MENTIONED UPLIFTABLE FURTH OF THE LANDS AND OTHER HERITAGES BEFORE SPECIFIED BUT ALSO IN THE SAID LANDS AND OTHERS THEMSELVES IN SECURITY AS SAID I THE SAID DONALD MACLEOD ESQUIRE DESIRE AND REQUIRE YOU AND EACH OF YOU CONJUNCTLY AND SEVERALLY MY BAILLIES IN THAT PART TO THE EFFECT AFTER SPECIFIED SPECIALLY CONSTITUTED THAT ON SIGHT HEREOF YE PASS TO THE MANOR PLACE OF EASTER GEANIES OR TO ANY OTHER PART OF THE GROUND OF THE SAID LANDS OF EASTER AND MID GANIES DESCRIBED IN THE CHARTER FIRST ABOVE MENTIONED AND ALSO TO THE MANOR PLACE OF ARBOLL DESCRIBED IN THE CHARTER LAST

MENTIONED AND THERE IN TERMS OF THE DISPENSATION CLAUSE CONTAINED IN THE SAID TWO CHARTERS AND ABOVE WRITTEN GIVE AND DELIVER HERITABLE STATE AND SASINE WITH ACTUAL REAL AND CORPOREAL POSSESSION TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND TO THE SURVIVOR OF THEM AS TUTORS AND CURATORS AND FOR BEHOOF FORESAID NOT ONLY OF ALL AND WHOLE THE FORESAID ANNUAL RENT OF TWO HUNDRED AND TWENTY FIVE POUNDS STERLING OR SUCH AN ANNUAL RENT LESS OR MORE AS SHALL EFFEIR AND CORRESPOND BY LAW FOR THE TIME TO THE AFORESAID PRINCIPAL SUM OF FOURTHOUSAND FIVE HUNDRED POUNDS STERLING TO BE UPLIFTED AND TAKEN AT THE SAID TWO TERMS IN THE YEAR WHITSUNDAY AND MARTINMAS BEGINNING THE FIRST UPLIFTING THEREOF AT THE TERM OF MARTINMAS NEXT ONE THOUSAND EIGHT HUNDRED AND TWELVE FOR THE PERIOD FROM THE DATE OF THESE PRESENTS TO THE SAID TERM AND THE NEXT UPLIFTING THEREOF AT THE TERM OF WHITSUNDAY THEREAFTER FOR THE HALF YEAR PRECEEDING AND SO ON THEREAFTER AT THE TERMS ABOVE MENTIONED DURING THE NOT REDEMPTION FURTH OF ALL AND WHOLE THE LANDS MILLS FISHINGS AND OTHER HERITAGE BEFORE MENTIONED AND HEREIN HELD AS REPEATED BREVITATIS CAUSA OR FURTH OF ANY PART OR PORTION OF THE SAID LAND AND OTHER HERITAGES BEFORE SPECIFIED MAILS FARMS PROFITS AND DUTIES OF THE SAME BUT ALSO OF ALL AND WHOLE THE SAID LANDS MILLS FISHINGS AND OTHER HERITAGES AS AFORESAID THEMSELVES WITH THE PERTINENTS IN REAL SECURITY TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE

SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM AS TUTORS AND CURATORS AND FOR BEHOOF FORESAID OF THE BEFORE MENTIONED SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING ANNUAL RENTS THEREOF LIQUIDATE PENALTY AND TERMLY FAILURES BEFORE SPECIFIED IF INCURRED AND THAT BY DELIVERY TO THEM OR THE SURVIVER OF THEM OR TO THEIR CERTAIN ATTORNEY OR ATTORNIES IN THEIR NAMES BEARERS HEREOF OF EARTH AND STONE OF AND UPON THE GROUND OF ANY PART OR PORTION OF THE SAID LANDS OF EASTER AND MID GEANIES AND ARBOLL RESPECTIVE AND SUCCESSIVE AFTER OTHERS FOR AND IN LIEU OF ALL OTHER SYMBOLS IN TERMS AND BY VIRTUE OF THE DISPENSATION CLAUSES CONTAINED IN THE CHARTER ABOVE MENTIONED AND A PENNY MONEY FOR THE SAID ANNUAL RENT TO BE HOLDEN IN MANNER BEFORE MENTIONED DECLARING ALWAYS THAT THE SAID INFETMENT OF ANNUALRENT AND THE OTHER INFETMENT OF PROPERTY IN SECURITY ARE AND SHALL BE CONSISTENT AND MAY BE USED JOINTLY OR SEPARATELY BY THE SAID KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM AND THEIR ASSIGNEES FORESAID IN THEIR OPTION AND DECLARING ALSO AS IT IS WHEREBY SPECIALLY PROVIDED AND DECLARED THAT THE AFORESAID ANNUALRENT OF TWO HUNDRED AND TWENTY FIVE POUNDS STERLING AND LANDS AND OTHER HERITAGES BEFORE DISPONED OUT OF WHICH THE SAME IS UPLIFTABLE SHALL BE REDEEMABLE BY ME THE SAID DONALD MACLEOD ESQUIRE AND MY FORESAID OR OUR ASSIGNEES FROM THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND

ESQUIRE AND THE SURVIVER OF THEM AND FROM THEIR ASSIGNEES AND THE ASSIGNEES OF THE SURVIVER AND ALSO FROM THEIR SAID PUPILS AND ALL OTHERS HAVING OR PRETENDING TO HAVE INTEREST THEREIN BY PAYMENT MAKING TO THEM THE SAID TUTORS AND CURATORS FOR BEHOOF OF THE SAID ALEXANDER MACKENZIE AND THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE OR TO THE SAID ASSIGNEES OF THE SAID TUTORS AND CURATORS OR LAWFUL CONSIGNATION OF THE SAID PRINCIPAL SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING WITH THE ANNUALRENTS THEREOF AND THE LIQUIDATE PENALTIES AND TERMLY FAILURES RESTING AND INCURRED AT THE TIME TOGETHER WITH THE NECESSARY CHARGES THAT SHALL HAPPEN TO BE EXTENDED BY THEM THE SAID TUTORS AND CURATORS AND THEIR ASSIGNEES IN INFETTING OR OTHERWISE SECURING THEMSELVES IN THE SAID ANNUALRENT AND LANDS AND OTHERS FORESAID AND LIKEWISE OF ALL EXPENCES INCURRED BY THEM IN CONVEYING OR DISCHARGING OR RENOUNCING THESE PRESENT EITHER IN WHOLE OR IN PART CONFORM TO AN ACCOUNT OF THE SAME TO BE GIVEN IN BY THEM AND THAT AT AND AGAINST THE TERM OF MARTINMASS NEXT OR AT THE TERM OF WHITSUNDAY THEREAFTER OR AT ANY TERM OF WHITSUNDAY OR MARTINMASS IN ANY SUBSEQUENT YEAR AND IF THE SAME SHALL HAPPEN ON A SUNDAY THEN ON THE MONDAY FOLLOWING UPON LAWFUL PREMONITION OF FORTY DAYS TO BE MADE BY ME AND MY FORESAIDS TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM OR THEIR ASSIGNEES IN PRESENCE OF A NOTARY PUBLIC AND

WITNESSES AS EFFEIRS THE PLACE OF REDEMPTION TO BE WITHIN THE OFFICE OF THE ROYAL BANK OF SCOTLAND IN EDINBURGH AND THE CONSIGNATION IN CASE OF ABSENCE OR REFUSAL TO BE IN THE HANDS OF THE CASHIER OF THE SAID BANK FOR THE TIME UPON THE PERIL OF THE CONSIGNER AND IT IS HEREBY DECLARED THAT AN EXTRCT OR COPY HEREOF OR OF THE SASINE TO FOLLOW HEREUPON SHALL BE AS EFFECTUAL FOR USING THE SAID ORDER OF REDEMPTION AS IF A PARTICULAR LETTER OF REDEMPTION WERE GRANTED BY THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AS TUTORS AND CURATORS FORESAID FOR THAT EFFECT AND THESE THINGS YE IN NO WAYS LEAVE UNDONE FOR THE DOING WHEREOF I HEREBY COMMIT TO YOU AND EACH OF YOU AS SAID IS MY FULL POWER BY THIS MY PRECEPT OF SASINE DIRECTED TO YOU FOR THAT EFFECT IN WITNESS WHEREOF I HAVE SUBSCRIBED THESE PRESENTS WRITTEN UPON THIS AND THE SIXTEEN PRECEEDING PAGES OF STAMPED PAPER BY JOHN CLUNES INNES APPRENTICE TO JOSEPH GORDON WRITTER TO THE SIGNET AT EDINBURGH THE TENTH DAY OF APRIL ONE THOUSAND EIGHT HUNDRED AND TWELVE YEARS BEFORE THESE WITNESSES MATHEW WEIR AND THOMAS ROBERTSON WRITTER IN EDINBURGH WITNESSES ALSO TO MY SIGNING THE MARGINAL NOT ON THIS SEVENTEENTH PAGE SIGNED DONADL MCLEOD MATHEW WEIR WITNESS THOMAS ROBERTSON WITNESS AFTER READING AND PUBLISHING OF WHICH HERITABLE BOND AND PRECEPT OF SASINE THEREIN CONTAINED AND ABOVE INSERTED THE SAID BAILLIE IN VIRTUE THEREOF AND OF THE OFFICE OF BAILLIARY THEREBY COMMITTED

TO HIM GAVE AND DELIVERED TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM TWO AS TUTORS AND CURATORS FORESAID FOR THE BEHOOF OF THE SAID PUPILS HERITABLE STATE AND SASINE REAL ACTUAL AND CORPORAL POSSESSION NOT ONLY OF ALL AND WHOLE THE AFORESAID ANNUALRENT OF TWO HUNDRED AND TWENTY FIVE POUNDS STERLING OR SUCH AN ANNUAL RENT LESS OR MORE AS SHALL CORRESPOND BY LAW FOR THE TIME TO THE SAID PRINCIPAL SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING TO BE UPLIFTED AND TAKEN AT TWO TERMS MARTINMASS AND MARTINMASS BY EQUAL PORTIONS AS BEFORE SPECIFIED FORTH OF ALL AND WHOLE THE LANDS AND OTHERS ABOVE DESCRIBED OR FURTH OF ANY PART OR PORTION OF THE SAME BUT ALSO OF ALL AND WHOLE THE SAID LANDS AND OTHERS THEMSELVES WITH THE PERTINENTS IN REAL SECURITY TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM TWO AS TUTORS AND CURATORS FORESAID FOR THE BEHOOF OF THE SAID PUPILS OF THE BEFORE MENTIONED SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING ANNUAL RENT THEREOF LIQUIDATE PENALTY AND TERMLY FAILURES IF INCURRED AND THAT BY DELIVERY TO THE SAID PROCURATOR OF EARTH AND STONE OF THE GROUNDS OF THE SAID LANDS OF GEANIES AND ARBOLL AND A PENNY MONEY FOR THE SAID ANNUALRENT AT THE MANOR PLACES OF EASTER GEANIES AND ARBOLL RESPECTIVE AND SUCCESSIVE AND THAT FOR ALL OTHER SYMBOLS BY VIRTUE OF THE CLAUSES OF DISPENSATION CONTAINED IN THE CHARTER REFERED TO IN THE SAID HERITABLE BOND AND

PRECEPT OF SASINE AFTER THE FORM AND
TENOR OF THE SAID HERITABLE BOND AND
PRECEPT OF SASINE ABOVE INSERTED THEREIN
CONTAINED IN ALL POINTS TO BE HELD AS
AFORESAID BUT REDEEMABLE ALWAYS AND
UNDER REVERSION IN TERMS OF THE CLAUSE
OF REDEMPTION PARTICULARLY ABOVE
SPECIFIED WHEREAPON AND APOON ALL AND
SUNDRY THE PREMISSES THE SAID
PROCURATOR ASKED AND TOOK INSTUMENTS IN
THE HANDS OF ME NOTARY PUBLIC
SUBSCRIBING THESE THINGS WERE SO DONE ON
THE GROUNDS OF THE SAID LANDS AT THE
MANOR PLACE OF EASTER GEANIES AND
ARBOLL RESPECTIVELY AND SUCCESSIVELY
BETWIXT THE HOURS OF TWO AND THREE PM OF
THE DAY MONTH YEAR OF GOD AND OF THE
KINGS REIGN RESPECTIVELY FIRST ABOVE
WRITTEN BEFORE AND IN PRESENCE OF JOHN
CLUNES INNESS APPRENTICE TO ME THE SAID
NOTARY AND JAMES FORSYTH ELDEST SON OF
ARCHIBALD FORSYTH GREIVE AT ALLAN
WITNESSES TO THE PREMISSES SPECIALLY
CALLED AND REQUIRED AND HERETO WITH ME
SUBSCRIBING... \F1 \fs20 \PAR }

44 1811 ROYSTON

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PARD\F0\Fs16 RS 3 962 SASINE EDINBURGH SIR ALEXANDER MACKENZIE OF ROYSTON AT LANARK\PAR \PAR AT EDINBURGH THE NINETEENTH DAY OF JULY EIGHTEEN HUNDRED AND ELEVEN YEARS BETWEEN THE HOURS OF TWELVE AND ONE AFTERNOON THE SASINE UNDERWRITEN WASPRESENTED BY JOSEPH GORDON WRITER TO THE SIGNET AND IS RECORDED IN THE NINE HUNDRED AND SECOND BOOK OF THE NEW GENERAL REGISTER OF SASINES REVERSIONS AND CONFORM TO THE ACT OF PARLIAMENT MADE THERE ANENT IN JUNE 1617 AND WHEREOF THE TENOR FOLLOWS VIZ IN THE NAME OF GOD AMEN BE IT KNOWN TO ALL MEN BY THIS PRESENT PUBLIC INSTRUMENT THAT UPON THE SIXTEENTH DAY OF JULY IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND ELEVEN AND IN THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD BY THE GRACE OF GOD OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND KING DEFENDER OF THE FAITH THE FIFTY FIRST YEAR IN PRESENCE OF ME NOTARY PUBLIC AND OF THE WITNESSES SUBSCRIBING APPEARED PERSONALLY MATHEW COWIE GARDENER AT GILKERSCLEUGH AS PROCURATOR FOR AND IN NAME AND BEHALF OF ALEXANDER MACKENZIE OF ROYSTON HEIR MALE AND OF TAILLIE AND PROVISION SERVED AND RETOURED TO THE DECEASED COLONEL ROBERT MACKENZIE

SOMETIME IN THE SERVICE OF THE HONOURABLE THE EAST INDIA COMPANY HIS FATHER WHO WAS HEIR MALE SERVED AND RETOURED TO GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOSE POWER OF PROCURATORY WAS SUFFICIENTLLY KNOWN TO ME THE SAID NOTARY PUBLIC AND PASSED WITH US AND WILLIAM MILLAR FARM SERVANT AT MAINS OF GILKERSCLEUGH BAILLIE IN THAT PART SPECIALLY CONSTITUTED BY VIRTUE OF THE PRECEPT OF SASINE AFTER INSERTED TO THE GROUNDS OF THE LANDS AND OTHERS AFTER MENTIONED RESPECTIVELY AND SUCCESSIVELY HAVING AND HOLDING IN HIS HANDS AN HERITABLE BOND OF THE DATE LAST AFTER MENTIONED CONTAINING THEREIN THE PRECEPT OF SASINE AFTER INSERTED MADE AND GRANTED BY DANIEL HAMILTON ESQUIRE OF GILKERSCLEUGH WITH CONSENT OF MRS HARRIET CAMPBELL HIS SPOUSE AND MRS HELEN HAMILTON RELICT OF THE DECEASED ALEXANDER HAMILTON ESQUIRE OF GILKERSCEUGH WHEREBY FOR THE CAUSES THEREIN SPECIFIED THE SAID DANIEL HAMILTON BOUND AND OBLIGED HIMSELF HIS HEIRS EXECUTORS AND SUCCESSORS WHOMSOEVER TO CONTENT AND REPAY AT THE SIGHT OF THE RIGHT HONOURABLE THE LORDS OF COUNCIL AND SESSION FOR THE PURPOSE OF BEING REINVESTED WITH THEIR APPROBATION IN TERMS OF THE TAILZIE ACT OF PARLIAMENT AND DECREET THEREIN MENTIONED TO THE SAID ALEXANDER MACKENZIE WHOMFAILING TO THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING TO THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF

CROMARTY THE SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOURPENCE STERLING AND THAT AT AND AGAINST THE TERM OF MARTINMAS NEXT WITH THE SUM OF TWO HUNDRED AND NINETY EIGHT POUNDS NINETEEN SHILLINGS AND SIX PENCE STERLING OF LIQUIDATE PENALTY IN CASE OF FAILURE AND TO CONTENT AND PAY TO THE SAID ALEXANDER MACKENZIE WHOMFAILING TO THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING TO THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY THE LEGAL INTEREST OF THE SAID PRINCIPAL SUM FROM THE DATE OF THE SAID BOND TO THE SAID TERM OF PAYMENT OF THE SAID PRINCIPAL SUM AND THEREAFTER SO LONG AS THE SAID PRINCIPAL SUM REMAINS PAID AT TWO TERMS IN THE YEAR MARTINMAS AND WHITSUNDAY BY EQUAL PORTIONS BEGINNING THE FIRST TERMS PAYMENT OF THE SAID ANNUAL RENT AT THE TERM OF MARTINMAS NEXT FOR WHAT SHALL BE DUE FROM THE DATE OF THE SAID BOND TO THAT TERM AND THE NEXT TERMS PAYMENT AT WHITSUNDAY THEREAFTER FOR THE HALF YEAR FROM MARTINMAS TO WHITSUNDAY AND SO FURTH THEREAFTER HALF YEARLY AT EACH TERM OF MARTINMAS AND WHITSUNDAY DURING THE NOT PAYMENT OF THE SAID PRINCIPAL SUM AND THAT AT EDINBURGH IN THE OFFICE OF THE BANK OF SCOTLAND WITH THE SUM OF FOURTEEN POUNDS EIGHTEEN SHILLINGS AND ELEVEN PENCE HALF PENNY STERLING OF LIQUIDATE PENALTY FOR EACH TERMS FAILURES IN PAYMENT OF THE SAID ANNUAL RENT AT THE TERMS ABOVE MENTIONED TOTIES QUOTIES AND FOR THE SAID

ALEXANDER MACKENZIE WHOMFAILING THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY THEIR FURTHER SECURITY AND MORE CERTAIN PAYMENT OF THE FORESAID SUMS OF MONEY THE SAID DANIEL HAMILTY ESQUIRE WITH CONSENT FORESAID AND THE SAID MRS HARRIET CAMPBELL AND HELEN HAMILTON FOR ANY RIGHT OF JOINTURE OR OTHER RIGHT OR INTEREST THEY MAY HAVE IN THE LANDS AND OTHERS AFTER MENTIONED AND THE SAID DANIEL HAMILTON AND MRS HARRIET CAMPBELL SPOUSES WITH JOINT ASSENT AND CONSENT THEREBY BOUND AND OBLIGED THEM THEIR HEIRS AND SUCCESSORS UPON THEIR OWN EXPENCE DULY AND LAWFULLY TO INFECT AND SEASE THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY HERITABLY BUT UNDER REVERSION IN MANNER THEREIN AND AFTER MENTIONED NOT ONLY IN ALL AND WHOLE AN ANNUAL RENT OF SEVENTY FOUR POUNDS FOURTEEN SHILLINGS AND TEN PENSE STERLING OR SUCH AN ANNUAL RENT LESS OR MORE AS SHALL CORRESPOND BY LAW FOR THE TIME TO THE FORESAID PRINCIPAL SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUND SEVENTEEN SHILLING FOUR PENCE HALF PENNY STERLING TO BE UPLIFTED AND TAKEN AT THE TERMS FORESAID DURING THE NOT

REDEMPTION FURTH OF ALL AND HAILL THE
 ONE MERK LAND OF OLD EXTENT OF
 OVERWHITECLAUGH WITH THE HOUSES AND
 HAILLE PERTINENTS THEREOF LYING WITHIN
 THE PARISH AND REGALITY OF CRAWFORDJOHN
 AND SHIRE OF LANARK AND TEINS PARSONAGE
 AND VICARAGE THEREOF OR FURTH OF ANY
 PART OR PORTION THEREOF FIRST AND ———
 MAILS FARMS PROFITS AND DUTIES OF THE
 SAME BUT ALSO ALL AND HAILL THE SAID
 LANDS OF OVERWHITECLEUGH WITH TEINDS
 AND PERTINENTS THEMSELVES IN FURTHER
 SECURITY TO THE SAID ALEXANDER MACKENZIE
 WHOM FAILING TO THE HEIRS MALE
 WHATSOEVER OF THE SAID GEORGE VISCOUNT
 OF TARBAT AFTERWARDS EARLOF CROMARTY
 WHOM FAILING THE NEAREST HEIRS AND
 ASSIGNEES WHATSOEVER OF THE SAID GEORGE
 VISCOUNT OF TARBAT AFTERWARDS EARL OF
 CROMARTY OF PAYMENT OF THE SAID SUMS OF
 MONEY PRINCIPAL ANNUAL RENTS AND
 LIQUIDATE EXPENCES AND TERMLY FAILURES
 ABOVE MENTIONED AND THAT BY TWO SEVERAL
 INFETMENTS AND DISTINCT MANNERS OF
 HOLDING THE ONE THERE OF TO BE HELD OF
 THE SAID DANIEL HAMILTON HIS FORESAIDS
 AND THE OTHER OF THE SAID INFETMENTS TO
 BE HELD FROM HIM AND HIS FORESAIDS OF
 THEIR IMMEDIATE LAWFUL SUPERIORS OF THE
 SAID LANDS IN MANNER MENTIONED IN THE
 SAID HERITABLE BOND AS THE SAME
 CONTAINING PROCURATORY OF RESIGNATION
 THE PRECEPT OF SASINE AFTER INSERT CLAUSE
 OF ABSOLUTE WARRANDICE ASSIGNATION TO
 THE RENTS AND TITLE DEEDS AND CLAUSE OF
 REDEMPTION WITH OTHER USUAL AND
 NECESSARY CLAUSES IN ITSELF MORE FULLY
 BEARS WHICH HERITABLE BOND CONTAINING
 THEREIN THE PRECEPT OF SASINE ABOVE
 MENTIONED AND HEREIN AFTER INSERTED THE

SAID ATTORNEY PRESENTED TO THE SAID BAILLIE AND DESIRED HIM TO PROCEED TO THE EXECUTION OF THE OFFICE OF BAILLIARY THEREBY COMMITTED TO HIM WHICH DESIRE THE SAID BAILLIE FINDING TO BE REASONABLE HE RECEIVED THE SAID HERITABLE BOND INTO HIS HANDS AND DELIVERED THE SAME TO ME NOTARY PUBLIC SUBJOINING TO BE READ AND PUBLISHED TO THE WITNESSES AND OTHERS PRESENT WHICH I DID AND OF WHICH PRECEPT OF SAINE THEREIN CONTAINED THE TENOR FOLLOWS VIZ MOREOVER TO THE EFFECT THE SAID ALEXANDER MACKENZIE WHOM FAILING THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY WHOM FAILING THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY MAY BE INFECT AND SEISED NOT ONLY IN THE ANNUAL RENT BEFORE MENTIONED UPLIFTABLE FURTH OF THE LANDS AND OTHER HERITAGES BEFORE SPECIFIED BUT ALSO IN THE SAID LANDS AND OTHERS THEMSELVES IN SECURITY AS SAID IS I THE SAID DANIEL HAMILTON WITH CONSENT FORESAID DESIRE AND REQUIRE YOU AND EACH OF YOU CONJOINTLY AND SEVERALLY MY BAILLIES IN THAT PART TO THE AFFECT AFTER SPECIFIED SPECIALLY CONSTITUTED THAT ON SIGHT HEREOF YE PASS TO THE GROUND OF THE SAID LANDS OF OVERWHITECLEUGH AND OTHERS ABOVE WRITTEN AND THERE GIVE AND DELIVER HERITABLE STATE AND SASINE WITH ACTUAL REAL AND CORPORAL POSSESSION TO THE SAID ALEXANDER MACKENZIE WHOM FAILING THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY WHOM FAILING THE NEAREST HEIRS AND

ASSIGNEES WHATSOEVER OF THE SAID GEORGE
VISCOUNT OF TARBET AFTERWARDS EARL OF
CROMARTY NOT ONLY OF ALL AND WHOLE THE
FORESAID ANNUAL RENT OF SEVENTY FOUR
POUNDS FOURTEEN SHILINGS AND TEN PENCE
HALF PENNY OR AN ANNUAL RENT LESS OR
MORE AS SHALL AFFAIR AND CORRESPOND BY
LAW FOR THE TIME TO THE AFORESAID
PRINCIPAL SUM OF ONE THOUSAND FOUR
HUNDRED AND NINETY FOUR POUNDS
SEVENTEEN SHILLINGS AND FOUR PENCE TO BE
UPLIFTED AND TAKEN AT THE SAID TWO TERMS
IN THE YEAR WHITSUNDAY AND MARTINMAS BY
EQUAL PORTIONS BEGINNING THE FIRST
UPLIFTING THEREOF AT THE TERM OF
MARTINMAS NEXT TO COME FOR THE PERIOD
FROM THE DATE OF THESE PRESENTS TO THE
SAID TERM AND THE NEXT HALF YEARS
UPLIFTING THEREOF AT THE TERM OF
WHITSUNDAY THEREAFTER AND SO FURTH
YEARLY THEREAFTER AT THE TERM ABOVE
MENTIONED DURING THE NOT REDEMPTION
FURTH OF ALL AND HAILL THE ONE MERK LAND
OF OLD EXTENT OF OVERWHITECLEUGH WITH
HOUSES AND HAILLLE PERTINENTS THEREOF
LYING WITHIN THE PARISH AND REGALITY OF
CRAWFURDJOHNSHIRE OF LANARK AND
TEINDS PARSONAGE AND VICARAGE OF THE
SAID LANDS OR FURTH OF ANY PART OR
PORTION OF THE SAID LANDS TEINDS AND
OTHER HERITAGES BEFORE SPECIFIED
READIEST RENTS MAILES FARMS PROFITS AND
DUTIES OF THE SAME BUT ALSO OF ALL AND
HAILL THE SAID LANDS TEINDS AND OTHERS AND
THEMSELVES WITH THE PERTINENTS IN REAL
SECURITY TO THE SAID ALEXANDER MACKENZIE
WHOM FAILING THE HEIRS ABOVE WRITTEN OF
THE SAID GEORGE VISCOUNT OF TARBET
AFTERWARDS EARL OF CROMARTY OF THE
BEFORE MENTIONED SUM OF ONE THOUSAND

FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEN SHILLINGS AND FOUR PENCE STERLING ANNUAL RENTS THEREOF LIQUIDATE PENALTY AND TERMLY FAILURES BEFORE SPECIFIED IF INCURRED AND THAT BY DELIVERY TO THE SAID ALEXANDER MACKENZIE WHOM FAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY OR TO HIS OR THEIR CERTAIN ATTORNEY OR ATTORNIES IN THEIR NAMES BEARERES HEREOF OF EARTH AND STONE OF THE GROUNDS OF THE SAID LANDS AND A PENNY MONEY FOR THE SAID ANNUAL RENT AND ALL OTHER SYMBOL USUAL AND NECESSARY TO BE HOLDEN IN MANNER BEFORE MENTIONED DECLAIRING ALWAYS THAT THE SAID INFETMENT OF ANNUAL RENT AND THE OTHER INFETMENT OF PROPERTY IN SECURITY ARE AND SHALL BE CONSISTENT OR MAY BE USED JOINTLY OR SEPARATELY BY THE SAID ALEXANDER MACKENZIE WHOM FAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY IN THEIR OPTION AND DECLAIRING ALSO AS IT IS HEREBY SPECIALLY PROVIDED AND DECLARED THAT THE AFORESAID ANNUAL RENT OF SEVENTY POUNDS FOURTEEN SHILLINGS AND TEN PENCE HALF PENNY AND LANDS AND OTHER HERITAGES BEFORE DISPONED OUT OF WHICH THE SAME IS UPLIFTABLE SHALL BE REDEEMABLE BY ME THE SAID DANIEL HAMILTON AND MY FORESAIDS OR OUR ASSIGNEES FROM THE SAID ALEXANDER MACKENZIE WHOM FAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY BY PAYMENT TO THEM OR LAWFUL CONSIGNATION FOR THEIR BEHOOF AT THE SIGHT OF THE SAID RIGHT HONOURABLE THE LORDSOF COUNCIL

AND SESSION OR THE LORD ORDINARY OF THE SAID COURT OFFICIATING ON THE BILLS IN CASE THE CONSIGNATION SHALL BE MADE IN TIME OF VACATION OF THE FORESAID PRINCIPAL SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOURPENCE WITH THE ANNUAL RENTS THEREOF AND THE LIQUIDATE PENALTY AND TERMLY FAILURE RESTING AND INCURRED AT THE TIME TOGETHER WITH THE NECESSARY CHARGES THAT SHALL HAPPEN TO BE EXPENDED BY THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY IN FEFTING OR OTHERWAYS SECURING THEMSELVES IN THE SAID ANNUAL RENT AND LANDS AND OTHERS FORESAID AND LIKEWISE OF ALL EXPENCES INCURRED IN CONVEYING AND DISCHARGING THESE PRESENTS EITHER IN WHOLE OR IN PART CONFORM TO AN ACCOUNT OF THE SAME TO BE GIVEN IN BY THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY AN D THAT AT AND AGAINST THE SAID TERM OF MARTINMAS NEXT OR AT THE TERM OF MARTINMAS OR WHITSUNDAY IN ANY SUBSEQUENT YEAR AND IF THE SAME SHALL HAPPEN TO FALL ON A SUNDAY THEN ON THE MONDAY FOLLOWING UPON LAWFUL PREMONITION OF FORTY DAYS TO BE MADE BY ME AND MY FORESAIDS TO THE SAID ALEXANDER MACKENZIE WHOMFAILING TO THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY IN PRESENCE OF A NOTARY PUBLIC AND WITNESSES AS EFFAIRS THE PLACE OF REDEMPTION TO BE WITHIN THE PARLIAMENT OR NEW SESSION HOUSE OF EDINBURGH AND

THE CONSIGNATION IN CASE OF ABSENCE OR REFUSAL TO BE IN THE HANDS OF THE TREASURE TO THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND FOR THE TIME UPON THE PERIL OF THE CONSIGNER AND IT IS HEREBY DECLARED THAT AN EXTRACT OR COPY HEREOF OR OF THE SASINE TO FOLLOW HEREUPON SHALL BE AS EFFECTUAL FOR USING THE SAID ORDER OF REDEMPTION AS IF A PARTICULAR LETTER OF REVERSION WERE GRANTED BY THE SAID ALEXANDER MACKENZIE OR BY THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY FOR THAT EFFECT AND THESE THINGS YE IN NO WAYS HAVE UNDONE FOR THE DOING WHEREOF I WITH CONSENT FORESAID COMMIT TO YOU AND EACH OF YOU AS SAID IS MY FULL POWER BY THIS MY PRECEPT OF SASINE DIRECTED TO YOU FOR THAT EFFECT IN WITNESS WHEREOF THESE PRESENTS WRITTEN UPON THIS AND THE TWENTY FOUR PRECEEDING PAGES OF STAMPED PAPER BY WILLIAM ASHER CLERK TO JOSEPH GORDON WRITER TO THE SIGNET ARE SUBSCRIBED AS FOLLOWS VIZ BY THE SAID MRS HELEN HAMILTON AT EDINBURGH THE TWELFTH DAY OF JULY ONE THOUSAND EIGHT HUNDRED AND ELEVEN BEFORE THESE WITNESSES WILLIAM ALEXANDER PATTERSON AND DAVID BOWS BOTH CLERKS TO JAMES HAMILTON WRITER TO THE SIGNET AND BY THE SAID DANIEL HAMILTON AND MRS HARRIET CAMPBELL AT GLASGOW THE THIRTEENTH DAY OF THE SAID MONTH OF JULY AND YEAR FORESAID BEFORE THESE WITNESSES NEIL TENNANT SERVANT TO ANDREW BOGLE ESQUIRE MERCHANT IN GLASGOW AND WILLIAM FRAZER SERVANT TO ME THE SAID DANIEL HAMILTON WITNESSES ALSO TO THE SUBSCRIPTION OF THE MARGINAL

NOTES ON PAGES SIXTH AND TENTH SIGNED DANIEL HAMILTON HELEN HAMILTON HARRIET HAMILTON NEIL TENNANT WITNESS WILLIAM FRASER WITNESS WILLIAM AL. PATTERSON WITNESS DAVID BEWS WITNESS NEIL TENNAN WITNESS WILLIAM FRASER WITNESS AFTER READING AND PUBLISHING OF WHICH HERITABLE BOND AND PRECEPT OF SASINE THEREIN CONTAINED AND ABOVE INSERTED THE SAID BAILLIE IN VIRTUE THEREOF AND OF THE OFFICE OF BAILLIARY THEREBY COMMITTED TO HIM GAVE AND DELIVERED TO THE SAID ALEXANDER MACKENZIE HERITABLE STATE AND SAINIE REAL ACTUAL AND CORPORAL POSSESSION NOT ONLY OF ALL AND WHOLE THE FORESAID ANNUAL RENT OF SEVENTY FOUR POUNDS FOURTEEN SHILLINGS AND TEN PENCE HALF PENNY STERLING OR SUCH AN ANNUAL RENT LESS OR MORE AS SHALL CORRESPOND BY LAW FOR THE TIME TO THE SAID PRINCIPAL SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOURPENCE STERLING TO BE UPLIFTED AND TAKEN AT TWO TERMS MARTINMAS AND WHITSUNDAY BY EQUAL PORTIONS AS BEFORE SPECIFIED FURTH OF ALL AND WHOLE THE LANDS TEINDS AND OTHERS ABOVE DESCRIBED OR FURTH OF ANY PART OR PORTION OF THE SAME BUT ALSO OF ALL AND WHOLE THE LANDS TEINDS AND OTHERS THEMSELVES WITH THE PERTINENTS IN REAL SECURITY TO THE SAID ALEXANDER MACKENZIE WHOM FAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY OF THE BEFORE MENTIONED SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOURPENCE STERLING ANNUAL RENTS THEREOF LIQUIDATE PENALTY AND TERMLY FAILURES IF INCURRED AND THAT BY

DELIVERING TO THE SAID PROCURATOR OF EARTH AND STONE OF THE GROUND OF THE SAID SEVERAL LANDS AND A PENNY MONEY FOR THE SAID ANNUAL RENT AND OTHER SYMBOLS USUAL AND NECESSARY AFTER THE FORM AND TENOR OF THE SAID HERITABLE BOND AND PRECEPT OF SASINE ABOVE INSERTED AND THEREIN CONTAINED IN ALL POINTS TO BE HELD AS AFORESAID BUT REDEEMABLE ALWAYS AND UNDER REVERSION IN TERMS OF THE CLAUSE OF REDEMPTION PARTICULARLY ABOVE SPECIFIED WHEREUPON AND APON ALL AND SUNDRY THE PREMISSES THE SAID PROCURATOR ASKED AND TOOK INSTUMENTS IN THE HANDS OF ME NOTARY PUBLIC SUBSCRIBING THESE THINGS WERE SO DONE ON THE GROUNDS OF THE SAID LANDS AND UPON EACH SEPERATE TENEMENT THEREOF RESPECTIVELY AND SUCCCESSIVELY BETWIX THE HOURS OF NINE AND TEN O CLOCK OF THE FORENOON OF THE DAY MONTH YEAR OF GOD AND OF THE KING REIGN RESPECTIVELY FIRST ABOVE WRITTEN BEFORE AND IN PRESENCE OF WILLIAM TINTO DAY LABOURER IN CRAWFURDJOHNS AND DOUGLAS AIRD SON OF THE REVERENT JOHN AIRD MINISTER OF THE GOSPEL AT CRAWFURDJOHNS WITNESSES TO THE PREMISSES SPECIALLY CALLED AND REQUIRED AND HERETO WITH ME SUBSCRIBING... LATIN.. \fs20\PAR }

45 BRIEVES 1826

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MsFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\FS20 AT TAIN 18TH OCTOBER 1826 SHERIFF COURT OF TAIN REFERENCE SHERIFF COURT 34/1/7 OR/AND SC34/1/7\PAR CURIA VICE COMITATUS DE ROSSFENTA APUD BURGUM DE TAIN IN PRETOUO EJUSDEM PER DONALDUM MCLEOD ARMIGEIUM AD VOCATUM VICE COMITEM

DEPUTATUM DE ROSS ET CROMARTY ET
DAVIDEM ROSS ARMIGEUM VICE COMITEM
SUBSTITUTUM DICT VICE COMITATUS
SPECIALITER CONSTITOS DECIMO SEPTIMO DIE
MENSIS AUGUSTI ANNO DOMINI MILLESIMO
OCTINGENTESI MO VIGESIMO SEXTO CURIA LE
GITIME AFFIRMATA \PAR \PAR ANENT THE BRIEF
DIRECTED FURTH OF HIS MAJESTIES CHANCERY
FOR SERVING ALEXANDER MNCKENZIE ESQ
PRESENTLY IN THE MILITARY SERVICE OF THE
HONOURABLE OF MERCHANTS TRADING TO THE
EAST INDIES NEAREST AND LAWFUL HEIR MALE
OF UMGUWHILE SIR GEORGE MCKENZIE OF
TARBAT BARONET AFTERWARDS VISCOUNT
TARBAT LORD MCLEOD AND CASTLEHAVEN AND
EARL OF CROMARTY BROTHER GERMAN OF
ALEXANDER MACKENZIE THE GREAT GREAT
GRANDFATHER OF THE SAID ALEXANDER
MACKENZIE ESQUIRE DATED THE SIXTEENTH
DAY OF FEBRUARY EIGHTEEN HUNDRED AND
TWENTY SIX EXECUTED BY VIRTUE OF THE
SHERIFFS PRECEPT AT THE MARKET CROSS OF
TAIN UPON FRIDAY THE TWENTY EIGHTH DAY OF
JULY EIGHTEEN HUNDRED AND TWENTY SIX BY
ANDREW GRANT SHERIFF OFFICER BEFORE
THESE WITNESSES ALEXANDER ROSS AND JOHN
ROSS BOTH RESIDING IN TAIN ALL WHICH BEING
OPENLY IN JUDGEMENT AND VERIFIED BY
THEOATHS OF THE OFFICE AND WITNESSES
COMPEARED JOHN ANDERSON WRITERS TO THE
SIGNET AND JOHN MACKENZIE WRITER IN TAIN
AS PROCURATORS AND ATTORNIES FOR THE
SAID ALEXANDER MACKENZIE THE CLAIMANT
BY VIRTUE OF A WRITTEN PROCURATORY
EXECUTED BY JOSEPH GORDON ESQ WRITER TO
THE SIGNET COMMISSIONER APPOINTED BY THE
SAID ALEXANDER MACKENZIE WITH SPECIAL
POWER TO PRODUCE BRIEVES FOR SERVING HIM
HEIR IN GENERAL OR SPECIAL TO ANY OF HIS

ANCESTORS FOR THE PURPOSE OF ENABLING HIM TO CLAIM ANY ESTATE OR TITLE OF DIGNITY TO WHICH HE HAS RIGHT DATED THE FIFTEENTH DAY OF FEBRUARY EIGHTEEN HUNDRED AND TWENTY SIX AND AFTER PROCLAMATION WAS MADE IN THE COURT AND AT THE DOOR OF THE COURT HOUSE AS USEIS PRODUCED THE CLAIM OF SERVICE FOR THE SAID ALEXANDER MCKENZIE ESQ WHEREOF THE TENOR FOLLOWS VIZ- HONOURABLE PERSONS AND GOOD MEN OF INQUEST I ALEXANDER MCKENZIE ESQUIRE PRESENTLY IN THE MILITARY SERVICE OF THE HONOURABLE SOCIETY OF MERCHANTS TRADING TO THE EAST INDIES SAY UNTO YOUR WISDOMS THAT SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST SON OF JOHN MACKENZIE OF TARBAT BARONET WHO WAS ELDEST SON OF SIR RODERICK MACKENZIE OF COIGACH KNIGHT BROTHER GERMAN OF ALEXANDER MACKENZIE MY GREAT GREAT GRANDFATHER DIED AT THE FAITH AND PEACE OF OUR SOVEREIGN LORD THE KING AND THAT I AM NEAREST AND LAWFUL HEIR MALE OF THE SAID UMGUWHILE SIR GEORGE MCKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MACLEOD AND CASTLEHAVEN AND EARL OF CROMARTY THE BROTHER OF MY SAID GREAT GREAT GRANDFATHER AND THAT I AM OF LAWFUL AGE THEREFORE BESEECH YOUR WISDOMS TO SERVE AND COGNOSE ME NEAREST AND LAWFUL HEIR MALE OF THE SAID UMGUWHILE SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER OF MY SAID GREAT GRANDFATHER ALEXANDER MACKENZIE AND CAUSE YOUR CLERK TO RETURN MY SAID SERVICE TO HIS MAJESTIES CHANCERY UNDER

YOUR SEALS ACCORDING TO JUSTICE AND YOUR WISDOMS ANSWER \PAR SIGNED \PAR JOHN ANDERSON WRITER TO THE SIGNET AND JOHN MACKENZIE P CLAIMANT MANDATE AND THEREAPON CRAVED THAT THE SAID BRIEF EXECUTION CLAIM AND INSTRUCTIONS MIGHT BE REMITTED TO THE KNOWLEDGE OF AN ASSIZE \PAR SIGNED JOHN ANDERSON \PAR JOHN MACKENZIE \PAR WHICH DESIRE THE SAID JUDGES FOUND REASONABLE AND ALEXANDER TAYLOR ESQUIRE PROCURATOR FISCAL FOR THE EASTERN DISTRICT OF THE COUNTY OF ROSS APPEARING FOR THE PUBLIC INTEREST AND ALL OTHER PARTIES HAVING INTEREST BEING THREE SEVERAL TIMES CALLED AT THE BAR AND DOOR OF THE COURT HOUSE AND NONE APPEARING TO OBJECT THE SHERIFF REMIT THE FORESAID BRIEF PRECEPT EXECUTION CLAIM AND INSTRUCTIONS THEREOF TO THE KNOWLEDGE OF THE FOLLOWING ASSIZE VIZ- HUGH ROSE ESQUIRE OF GLASTULLICH \PAR ALEXANDER FRASER ESQUIRE OF INCHCOUTTER \PAR DONALD MACKENZIE ESQUIRE OF NEWHALL \PAR WALTER ROSS ESQUIRE OF NIGG \PAR H A J MUNRO OF NOVAR \PAR RODERICK MACKENZIE ESQUIRE OF KINCRAIG RODERICK MACLEOD ESQUIRE OF CADBOLL ADVOCATE \PAR CHARLES C ROSS ADVOCATE OF SHANDWICK \PAR JOHN GRANT ESQUIRE OF GLADFIELD GEORGE MURRAY ESQUIRE OF WEST FIELD \PAR MAJOR WILLIAM CLINAS OF GRAIGACH \PAR WILLIAM MURRAY ESQUIRE OF ROSEMOUNT \PAR JOHN ROSS ESQUIRE BANKER TAIN \PAR WILLIAM MURRAY ESQUIRE BANKER THERE \PAR JOHN ROSS ESQUIRE RESIDING AT RHIVES \PAR WHO BEING ALL SOLEMNLY SWORN PROCLAMATION WAS AGAIN MADE IN CASE ANY APPEARED TO OBJECT TO THE SERVICE AND

INQUEST BUT NONE APPEARING THE SAID JOHN MACKENZIE AND JOHN ANDERSON AS PROCURATORS FORESAID PRODUCED AND LAID BEFOR THE JURY A GENEALOGICAL TREE OF THE MACKENZIES EARLS OF CROMARTY FROM SIR RODERICK MACKENZIE OF COIGACH TUTOR OF KINTAIL DOWN TO ALEXANDER MACKENZIE ESQUIRE THE PRESENT CLAIMANT WITH REFERENCES THEREON BY THE SAID JOHN MACKENZIE WRITER IN TAIN AND THE SAID JOHN ANDERSON WRITER TO THE SIGNET DATED THE FOURTEENTH AND SIXTENTH DAYS OF AUGUST EIGHTEEN HUNDRED AND TWENTY SIX AND MARKED NUMBER ONE AS ALSO A DETAILED PEDIGREE OF THE DESCENT TO THE CLAIMANT FROM THE SAID SIR RODERICK MACKENZIE OF COIGACH MARKED NUMBER TWO TOGETHER WITH A PAPER ENTITLED ABSTRACT OR SUMMARY OF THE EVIDENCE IN SUPPORT OF THE PRECEEDING CASE OF PEDIGRE OF THE SAID ALEXANDER MACKENZIE ESQUIRE THE CLAIMANT AND MARKED NUMBER THREE CONTAINING EXCERPS FROM THE RESPECTIVE WRITS AND DOCUMENTS AS WELL AS DEPOSITIONS OF THE WITNESSES AND PAROLE TESTIMONY ALL THEREIN REFERED TO AND FOUNDED ON AND WHICH SEVERAL DEPOSITIONS WITH THE PETITIONS TO THE SHERIFF SUBSTITUTE ROSS AND CROMARTY OF SEVENTH NOVEMBER EIGHTEEN HUNDRED AND TWENTY FIVE AND INTERLOCTOR AND EXECUTION THEREON OF SAME DATE PETITION TO THE SAME OF TWENTY FIRST FEBRUARY WITH INTERLOCTOR THEREON OF TWENTY SECOND FEBRUARY EIGHTEEN HUNDRED AND TWENTY SIX DILEGENCE AGAINST WITNESSES DATED THE SAID TWENTY SECOND DAY OF FEBRUARY EIGHTEEN HUNDRED AND TWENTY SIX PETITION TO THE SHERIFF SUBSTITUTE OF INVERNESS DATED THE THIRTEENTH DAY OF

JANUARY EIGHTEEN HUNDRED AND TWENTY SIX WITH DILIGENCE AGAINST WITNESSES ALL AND UNDER AUTHORITY OF WHICH THE SAID RESPECTIVE DEPOSITIONS PROCEEDED WITH TWO EXECUTORS FOLLOWING THEREON ACT AND COMMISSION IN FAVOUR OF THE CLAIMANT DATED THE TWENTY SECOND DAY OF FEBRUARY EIGHTEEN HUNDRED AND AND TWENTY SIX PETITION UNDER IT TO THE SHERIFF OF EDINBURGH DATED THE TWENTY EIGHTH DAY OF MARCH EIGHTEEN HUNDRED AND TWENTY SIX AND SHERIFF INTERLOCUTOR THEREON OF SAME DATE AND REPORT OF THE EXAMINATIONS OF MRS ANN LAMONT UNDER THE SAID COMMISSION WITH THE SAID HALL DOCUMENTS THEMSELVES SO FOUNDED ON AND REFERED TO ARE NOW PRODUCED AND LAID BEFORE THE SAID JURY THE SAID RESPECTIVE DEPOSITIONS EMITTED IN OATH WITH THE HALL PROCESS CONFORM TO INVENTORY BEING LODGED WITH THE CLERK OF COURT TO BE ENTERED WITH THE RECORDS OF THE SHERIFF COURT OF ROSS WHICH GENEALOGICAL TREE TOGETHER WITH THE DETAILED PEDIGREE AND ABSTRACT OR SUMMARY OF THE EVIDENCE AS ALSO THE HALL WRITTEN AND PAROLE TESTIMONY LED IN SUPPORT THEREOF AND OF THE CLAIM OF SERVICE BEING SOLEMNLY EXAMINED AND CONSIDERED BY THE FORESAID PERSONS OF INQUEST PROCLAMATION WAS AGAIN MADE IN COURT AND AT THE DOOR OF THE COURT HOUSE AS IS BUT NO PERSON OR PERSONS APPEARED TO OBJECT TO THE PREMISES TO THE SAID PRODUCTIONS WHEREUPON THE SAID SHERIFFS ORDAIN THE SAID ASSIZE TO ENCLOSE AND MAKE UP AND RETURN THERE VERDICT WHICH PERSONS OF INQUEST BEING SOLEMNLY SWORN AS SAID AS DID ENCLOSE AND ELECT THE SAID RODERICK MACLEOD ESQUIRE OF CADBOLL

ADVOCATE TO BE THEIR CHANCELLOR AND
HAVING A GAIN RECONSIDER THE SAID CLAIM
WITH HAILL INSTRUCTIONS THEREOF TOGETHER
WITH THE SAID BRIEF PRECEPT FOR EXECUTING
THE SAME AND EXECUTION OF THE SAID BRIEF
WITH THE DEPOSITIONS OF THE OFFICER AND
WITNESSES TO THE VERITY THEREOF AND
DOCUMENTARY AND PAROLE EVIDENCE
ADDUCED IN SUPORT OF THE CLAIM AND
FINDING THE SAME ALL ORDERLY PROCEEDED
AND LEGALLY DONE AND THE FORESAID CLAIM
SUFFICIENTLY VERIFIED AND INSTRUCTED
WITHOUT ANY OBJECTION THEY ALL IN ONE
VOICE BY THEIR CHANCELLOR SERVED AND
COGNOSED AND DO HEREBY UNANIMOUSLY
SERVE COGNOSIE AND RETOUR THE SAID
ALEXANDER MACKENZIE ESQUIRE PRESENTLY
IN THE MILITARY SERVICE OF THE HONOURABLE
SOCIETY OF MERCHANTS TRADING TO THE EAST
INDIES TO BE NEAREST AND LAWFUL HEIR MALE
OF THE SAID UMGUWHILE SIR GEORGE
MACKENZIE OF TARBAT BARONET
AFTERWARDS VISCOUNT TARBAT LORD
MACLEOD AND CASTLEHAVEN AND EARL OF
CROMARTY BROTHER GERMAN OF ALEXANDER
MACKENZIE THE GREAT GREAT GRANDFATHER
OF THE SAID ALEXANDER MACKENZIE ESQUIRE
CONFORM TO THE SAID BRIEF CLAIM AND HAILL
INSTRUCTIONS THEREOF IN ALL POINTS AND
ORDAINED AND HEREBY ORDAIN THIS SERVICE
TO BE RETOURED TO HIS MAJESTIES CHANCERY
CONFORM TO THE TERMS OF THE BRIEF IN DUE
FORM OF LAW AND IN TESTIMONY OF THE
PREMISSES THE SAID CHANCELLOR DID IN THE
PRESENCE OF THE SAID JURY AND THEIR
AUTHORITY SIGN AND AUTHENTICATE IN OPEN
COURT THE FORESAID GENEALOGICAL TREE AS
ALSO THE SAID DETAILED PEDIGRE AND
ABSTRACT OR SUMMARY OF EVIDENCE IN
SUPPORT THEREOF ALL WHICH PAPERS ARE

LEFT WITH THE CLERK OF COURT TO BE
PLACED AMONG THE RECORDS OF THE SHERIFF
COURT OF ROSS IN FUTURAM REI MEMORAM
UPON ALL WHICH THE SAID JOHN ANDERSON
AND JOHN MACKENZIE AS PROCURATORS
FORESAID TOOK INSTRUMENTS IN THE CLERKS
HANDS THAT NO ONE APPEARED TO OBJECT
AND CRAVED THE HONOURABLE SHERIFF
WOULD INTERPONE THEIR AUTHORITY
ACCORDINGLY \PAR SIGNED JOHN ANDERSON
\PAR JOHN MACKENZIE \PAR AND THEREAON
THE JUDGES INTERPONE AND HEREBY
INTERPONE THEIR AUTHORITY TO THE HAIL
PREMISSES AND IN FURTHER VERIFICATION
THEY ALSO SIGN THE SAID GENEALOGICAL TREE
THE DETAILED PEDIGRE AND ABSTRACT OF
EVIDENCE IN SUPPORT THEREOF SIGNED \PAR
DONALD MCLEOD SHERIFF DEPUTE \PAR \PAR }

46 NOMINATION

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{*\GENERATOR MSFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\PAR L/MIL/10/26 GOVERNMENT OF INDIA RECORDS\PAR \PAR SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF THE MADRAS SERVICE BORN 16TH MAY 1802 ARRIVED 10TH AUGUST 1824 G.O. 18TH THE COURT ASSEMBLED AT MADRAS TO INQUIRE INTO THE CONDUCT OF CERTAIN PASSENGERS ON THE DUKE OF BEDFORD FIND THAT HE MADE USE OF GROSS AND INDESCENT LANGUAGE HE THE COM. IN CHIEF WILL NOTICE HIS CONDUCT 12TH MAY 1826 NOs 41 AND 2 LEAVE FOR 1 MONTH TO PRESIDENCY ON S.C.G.O. 8TH NOV. 1824 LEAVE FOR 6 MONTHS TO PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS

CLAIM TO THE TITLE OF BARONET RECOGNISED
CONS 11TH OCT. 1828 NO. 70 LEAVE CONTENDED
FOR REMAINING AT THE PRESIDENCY
PREPARATORY TO APPLYING FOR FURLO G.O.
10TH NOV. 1828 APP. DEP. PAYMASTER AT
BENARES G.O. 12TH FEB. 1829 HIS
APPOINTMENT AS DEP. PAYMASTER AT
DINAPORE HAVING BEEN CANCELLED BY THE
REAPPOINTMENT OF CAPTAIN THOMSON TO
THAT SITUATION HE IS PLACED AT THE COM. IN
CHIEFS DISPOSAL FOR REGIMENTAL DUTY G.O.
7TH JULY 1830 SEE GOV. GEN. MINUTE ON CONS
2ND JULY 1830 NO 29 GRANTED LEAVE TO
PRESIDENCY FOR 4 MONTHS TO SETTLE HIS
PUBLIC ACCOUNTS G.O. 6TH AUG 1830
PERMITTED TO PROCEED TO EUROPE ON FURLO
FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830
ABSENT WITHOUT PAY G.O. 11TH OCT 1830
FURLO COMMENCED 21ST OCT 1830 \{A.L.\}
FORWARD A MEMORIAL FROM HIM
COMPLAINING OF THE LOSS OF HIS STAFF
SITUATION MIL. LETTER FROM BENGAL 14TH
OCT. 1830 \{3\}. REPORTS HIS ARRIVAL IN
ENGLAND. M OF O 22 APRIL 1831 SUBMITS FOR
COURTS FAVORABLE CONSIDERATION THE
CIRCUMSTANCES UNDER WHICH HE HAS BEEN
DEPRIVED OF A VALUABLE STAFF SITUATION
AND HIS ELIGIBILITY FOR FURTHER DETACHED
EMPLOY AND PRAYS TO BE RESTORED TO SUCH
BENEFIT M. OF C. 4TH MAY 1831 NEGATED M.
OF C. 8TH JUNE 1831 SOLICITS TO BE RESTORED
TO THE STAFF SITUATION OF DEPUTY
PAYMASTER AT DINAPORE M. OF C. 6TH JULY
1831 NEGATED M. OF C. 3 AUG 1831
REQUESTS PERMISSION TO REMAIN M. OF C.
26TH OCT 1831 FURLO EXTENDED FOR 3
MONTHS M. OF C. 26TH OCT 1831 REQUESTS
PERMISSION TO REMAIN M. OF C. 20TH MARCH
1832 PERMITTED TO REMAIN UNTIL THE

DEPARTURE OF THE EUPHRATES ABOUT THE
MIDDLE OF APRIL M. OF C. 22ND MARCH 1832
TRANSMITS LETTER FROM MADURA ON HIS
RETURN TO HIS DUTY REQUESTING TO BE
FURNISHED WITH A SPECIAL AUTHORITY FOR
HIS READMISSION TO THE SERVICE SHOULD
SUCH DOCUMENT BE NECESSARY M. OF C. 19TH
JUNE 1832 ARRIVED AT FORT WILLIAM FROM
ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832
AQUITTED BY COURT MARTIAL ON A CHARGE OF
GROSSLY DISRESPECTFUL AND INSULTING
CONDUCT TOWARDS HIS COMMANDING
OFFICER G.O. 22 FEB. 1839 DECLARED
QUALIFIED TO DISCHARGE THE DUTIES OF
INTERPRETER IN A NATIVE CORPS AND
EXEMPTED FROM FURTHER EXAMINATION IN
THE NATIVE LANGUAGES EXCEPT BY THE
EXAMINER OF THE COLLEGE OF FORD WILLIAM
G.O. 13 JUNE 1840 APPOINTED TO THE
COMMISARIOT DEPARTMENT IN AFFGHANISTAN
G.O. NOV. 1840 LEAVE FROM MARCH TO 15TH
MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O.
MARCH 1841 \PAR DIED 28TH APRIL 1841
CALCUTTA 5 MAY 1841 NO 202. \PAR }

47 CAPTAIN W. MCINTOSH

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{\COLORTBL;\RED255\GREEN0\BLUE0;\RED0\GREEN0\BLUE0;}{*\GENERATOR MSFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\PAR L/MIL/10/26 GOVERNMENT OF INDIA RECORDS\PAR \PAR SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF THE MADRAS SERVICE BORN 16TH MAY 1802 ARRIVED 10TH AUGUST 1824 G.O. 18TH THE COURT ASSEMBLED AT MADRAS TO INQUIRE INTO THE CONDUCT OF CERTAIN PASSENGERS ON THE DUKE OF BEDFORD FIND THAT HE MADE USE OF GROSS AND INDESCENT LANGUAGE HE THE COM. IN CHIEF WILL NOTICE HIS CONDUCT 12TH MAY 1826 NOs 41 AND 2 LEAVE FOR 1 MONTH TO PRESIDENCY ON S.C.G.O. 8TH NOV. 1824 LEAVE FOR 6 MONTHS TO PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS CLAIM TO THE TITLE OF BARONET RECOGNISED

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 PERMITTED TO PROCEED TO EUROPE ON FURLO
 FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830
 ABSENT WITHOUT PAY G.O. 11TH OCT 1830
 FURLO COMMENCED 21ST OCT 1830 \{A.L.\}
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 1832 PERMITTED TO REMAIN UNTIL THE
 DEPARTURE OF THE EUPHRATES ABOUT THE
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TRANSMITS LETTER FROM MADURA ON HIS RETURN TO HIS DUTY REQUESTING TO BE FURNISHED WITH A SPECIAL AUTHORITY FOR HIS READMISSION TO THE SERVICE SHOULD SUCH DOCUMENT BE NECESSARY M. OF C. 19TH JUNE 1832 ARRIVED AT FORT WILLIAM FROM ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832 AQUITTED BY COURT MARTIAL ON A CHARGE OF GROSSLY DISRESPECTFUL AND INSULTING CONDUCT TOWARDS HIS COMMANDING OFFICER G.O. 22 FEB. 1839 DECLARED QUALIFIED TO DISCHARGE THE DUTIES OF INTERPRETER IN A NATIVE CORPS AND EXEMPTED FROM FURTHER EXAMINATION IN THE NATIVE LANGUAGES EXCEPT BY THE EXAMINER OF THE COLLEGE OF FORD WILLIAM G.O. 13 JUNE 1840 APPOINTED TO THE COMMISARIOT DEPARTMENT IN AFGHANISTAN G.O. NOV. 1840 LEAVE FROM MARCH TO 15TH MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O. MARCH 1841 \PAR DIED 28TH APRIL 1841 CALCUTTA 5 MAY 1841 NO 202. \PAR \PAR SIR ALEXANDER MACKENZIE SIXTH BARONET (1802-1841) CAPTAIN 48TH N.I. BORN EDINBURGH 16TH MAY 1802 CADET 1823 ARRIVED INDIA 10 AUGUST 1824 ENSIGN 10 FEBRUARY 1824 LIETENANT 13 MAY 1825 CAPTAIN 1 MARCH 1840 DIED CALCUTTA INDIA BURIED OLD CIRCULAR ROAD 28TH APRIL 1841 \PAR \PAR 6TH BARONET OF TARBAT SERVED HEIR MALE TO HIS GREAT-GREAT-GRANDUNCLE GEORGE 1ST EARL OF CROMARTY 17TH AUGUST 1826 ASSUMED THE DORMANT BARONETCIES OF TARBAT OF GRANDVILLE AND CROMARTY AND OF ROYSTON 20 OCTOBER 1826 ELDER SON OF ROBERT MACKENZIE OF MILNMOUNT Q.V. AND KATHARINE HIS 2ND WIFE EDUCATED EDINBURGH HIGH SCHOOL \PAR \PAR SERVICES: POSTED ENSIGN TO 48TH NATIVE INFANTRY

DEPUTY PAYMASTER AT BENARES 12 FEBRUARY
1829 TILL 7TH JULY 1830 FURLOW P.A. 21
OCTOBER 1830 TILL 14 SEPTEMBER 1832 FIRST
AFGHAN WAR 1839-40 CAPTURE OF GHAZNI
1839 LIEUTENANT 48TH NATIVE INFANTRY
APPOINTED TO COMMISSARIOT DEPARTMENT
AFGHANISTAN 26TH NOVEMBER 1840 LEAVE
S.C. TO CALCUTTA 1 MARCH 1841 \PAR \PAR
REFERENCES BURKES PEERAGE 1923 PAGE
1472 S.N. MACKENZIE BARONET OF SCATWEL
COUNTY ROSSHIRE ASIATIC JOURNAL NEW
SERIOUS XXIX GENTLEMANS MAGAZINE 1841 II
334 M.I. CIRCULAR ROAD CEMETARY CALCUTTA
NEW BURIAL GROUND CIRCULAR ROAD PAGE
280 MONUMENTAL INSCRIPTIONS CALCUTTA
\cf1 IN MEMORY OF SIR ALEXANDER
MACKENZIE OF TARBAT AND ROYSTON KNIGHT
BARONET CAPTAIN IN THE 48TH REGIMENT
NATIVE INFANTRY BORN MAY 16TH 1802 DIED
APRIL 28TH 1841 \PAR \PAR \cf2 ENTRY
NUMBER 553 INDIA GOVERMENT PAPERS \PAR
FROM ACTING THE ADJUTANT GENERAL OF THE
ARMY TO THE SECRETARY TO THE GOVENMENT
OF INDIA IN THE MILITARY DEPARTMENT
CALCUTTA 29TH APRIL 1841 SIR I HAVE THE
HONOUR TO REPORT FOR THE INFORMATION OF
THE GOVERNMENT THE DEATH AT CALCUTTA ON
THE 28TH INSTANT OF CAPTAIN SIR ALEXANDER
MACKENZIE BARONET OF THE 48TH REGIMENT
OF NATIVE INFANTRY AND TO SUBMIT THE
ANNEXED MEMORANDUM OF THE CONSEQUENT
PROMOTION I HAVE THE HONOR TO BE SIR YOUR
OBEDIENT SERVANT SIGNED ACTING ADJUTANT
GENERAL OF THE ARMY \PAR MEMORANDUM
(GENERAL ORDERS ENTRY NO 111 OF 5 MAY
1841) \PAR THE RIGHT HONOURABLE THE
GOVERNOR GENERAL OF INDIA IN COUNCIL IS
PLEASED TO MAKE THE FOLLOWING
PROMOTIONS \PAR 48TH NATIVE INFANTRY
LIEUTENANT HENRY DAVID VANHOMIGH TO BE

CAPTAIN OF A COMPANY ENSIGN THEOPHILIS GREEN TO BE LIEUTENANT FROM THE 28TH APRIL 1841 IN SUCCESSION TO CAPTAIN SIR ALEXANDER MACKENZIE BARONET DECEASED SIGNED ACTING ADJUTANT GENERAL OF THE ARMY REPORTS THE DEATH OF CAPTAIN SIR ALEXANDER MACKENZIE BART 48TH NATIVE INFANTRY AND ANNEXES A MEMORANDUM OF THE CONSEQUENT PROMOTIONS. REPORT 30TH APRIL 1841 \PAR \PAR SERVICE RECORD GOVERNMENT OF INDIA PAGE 540.\PAR \PAR \Fs32 GENERAL ORDERS\PAR \Fs24 BY HIS EXCELLENCY THE COMMANDER IN CHIEF\PAR \Fs20 HEAD QUARTERS CALCUTTA 26TH NOVEMBER 1840 \PAR BY THE RIGHT HONORABLE THE GOVERNMENT GENERAL OF INDIA IN COUNCIL\PAR FORT WILLIAM 24TH NOVEMBER 1840\PAR \PAR NO. 249 OF 1840--- CAPTAIN WILLIAM MCDOWEL HOPER OF THE 57TH REGIMENT NATIVE INFANTRY IS PERMITTED TO PROCEED TO THE CAPE OF GOOD HOPE ON MEDICAL CERTIFICATE AND TO BE ABSENT FRO BENGAL ON THAT ACCOUNT FOR TWO YEARS\PAR SIGNED J.STUART LIEUTENANT. COLONEL\PAR SECRETARY TO THE GOVERNMENT OF INDIA MILITARY DEPARTMENT\PAR \PAR \Fs32 BY THE COMMANDER IN CHIEF\Fs20\PAR \PAR THE FOLLOWING ORDERS ARE WITH THE SANCTION OF THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL CONFIRMED\PAR \PAR THE ORDERS BY MAJOR GENERAL SIR W. COTTON G.C.B. AND K.C.H. COMMANDING THE BRITISH TROOPS IN AFGHANISTAN DATED THE 18TH ULTIMO DIRECTING LIEUTENANT J.N.RINO OF THE 37TH REGIMENT OF NATIVE INFANTRY TEMPORARY ARRANGEMENT TO CONDUCT THE COMMISSARIOT DUTIES WITH FORCE UNDER THE

ORDRS OF MAJOR GENERAL SIR R.H. SALE K.C.B. ON THE DEMISE OF CAPTAIN R.RABAN OF THE 48TH NATIVE INFANTRY\PAR \PAR THE ORDERS BY MAJOR GENERAL SIR W. COTTON G.C.B. AND K.G.H. COMMANDING THE BRITHISH TROOPS IN AFGHANISTAN DATED THE 18TH ULTIMO APPOINTING CAPTAIN SIR ALEXANDER MACKENZIE BART OF THE 48TH REGIMENT OF NATIVE INFANTRY TO THE COMMISSARIAT DEPARTMENT IN AFGHANISTAN VICE CAPTAIN RABAN DECEASED\PAR \PAR THE ORDER BY CAPTAIN S.F. HANNAY COMMANDING THE ASSAM LIGHT INFANTRY BATTALION DATED THE 10TH ULTIMO APPOINTING AS A TEMPORARY MEASURE LIEUTENANT W.O.HARRIS TO ACT AS 2ND IN COMMAND TO THE CORPS\PAR \PAR THE DETACHMENT ORDER BY LIEUTENANT COLONEL R.E.CHAMBERS DATED THE 22ND ULTIMO DIRECTING THE COMMISSARIAT TO SUPPLY 2 FOUR BULLOCK HACKERIES FOR THE CARRIAGE TO FEROPZEPOR OF THE CLOTHING AND COMPANY OF MEN OF THE 5TH REGIMENT OF LIGHT CAVALRY ON FURLOUGH\PAR \PAR THE FOLLOWING ORDERS ARE CONFIRMED\PAR THE AGRA GARRISON ORDER OF THE FIRST INSTANCE DIRECTING HOSPITAL APPRENTICE J.GOODALL TO ACT AS ASSISTANT APOTHECARY TO THE DEPOT OF THE 1ST EUROPEAN REGIMENT DURING ITS MARCH TO CAWNPORE AND REQUIRING APPRENTICE M.TWOOMY TO DO DUTY THE DEPOT\PAR \PAR THE STATION ORDER BY CAPTAIN H.J.HUXON COMMANDING AT ALLYGURH DATED THE 4TH INSTANT DIRECTING LIEUTENANT AND ACTING ADJUTANT W.B.LEGARD OF THE LEFT WING 31ST REGIMENT OF NATIVE INFANTRY TO ACT AS STATION STAFF\PAR \PAR THE ORDER BY BRIGADIER J.SHELTON COMMANDING AT FEROPZEPOR DATED THE 7TH INSTANT APPOINTING AS A TEMPORARY ARRANGEMENT CAPTAIN

W.MACKINTOSH OF THE 5TH REGIMENT OF
NATIVE INFANTRY TO ACT AS BRIGADE MAJOR
AT THE STATION VICE CAPTAIN GRANT\PAR \PAR
2ND LIEUTENANT R.B.SMITH OF THE CORPS OF
ENGINEERS WHO WAS DIRECTED TO JOIN THE
6TH COMPANY OF SAPPERS AND MINERS AT
DACCA IN THE GENERAL ORDERS OF THE 28TH
OF SEPTEMBER LAST WILL PROCEED WITH IT
FROM THAT STATION TO BENARES BY WATER
WHERE THE COMPANY WILL BE DISEMBARKED
AND AFTERWARDS MARCHED TO THE HEAD
QUARTERS OF THE CORPS\PAR \PAR \Fs28 FORT
WILLIAM\PAR \Fs20 18TH MARCH 1839\PAR
48TH REGIMENT NATIVE INFANTRY\PAR
CHARGE\PAR \PAR WITH CONDUCT HIGHLY
UNLIKE AN OFFICER AND AS A GENTLEMAN AND
GROSSLY DISREPECTFUL INSULTING TO MAJOR
R.A.THOMAS OF THE SAME REGIMENT HIS THEN
IMMEDIATE COMMANDING OFFICER ON THE
MORNING OF THE 13TH OF JANUARY 1839 THE
MAJOR BEING IN COMMAND OF A WING OF THE
SAID REGIMENT AND IN CHARGE OF MEASURE
THEN IN CAMP WITH THE 1ST BRIGADE 1ST
DIVISION BENGAL COLOMN ARMY OF THE INDIES
IN THE FOLLOWING INSTANCES\PAR 1ST
INSTANCE IN HAVING WHEN ASKED BY THE
MAJOR WHERE LIEUTENANT BIRD WAS REPLIED
WHERE THE HELL OR DEVIL SHOULD HE BE BUT
IN HIS \PAR OR WORD TO SUCH EFFECT\PAR
\PAR 2ND INSTANCE IN HAVING ON THE SAME
MORNING WHEN ASKED BY MAJOR TO MAKE THE
—— ASSISTANT IN LOADING THE SAID —— UPON
CAMELS REPLIED THAT HE THE SAID MAJOR
WAS A DAMNED BEAST A —— AND IF HE WAS
NOT SUCH AN OLD MAN HE THE LIEUTENANT
SHOULD HAVE LIKED TO HAVE GIVEN HIM THE
MAJOR A GOOD KICKING OR WORDS TO SUCH
EFFECT \PAR \PAR THE WHOLE OR ANY PART OF
THE ABOVE CONDUCT BEING IN BREACH OF THE

ARTICLES OF WAR UPON WHICH CHARGE THE COURT CAME TO THE FOLLOWING DECISION\PAR \PAR FINDING THAT THE COURT ARE OF THE OPINION THAT LIEUTENANT SIR ALEXANDER MACKENZIE BARONET OF THE 48TH REGIMENT NATIVE INFANTRY IS NOT GUILTY OF THE CHARGE EXHIBITING AGAINST HIM AND DO ACQUIT HIM OF THE SAME\PAR \PAR \fs32 FORT WILLIAM\PAR \fs20 18TH MARCH 1839\PAR MILITARY DEPARTMENT NO 226\PAR OF THE COARSE OF THE KALLEE RIVER FROM OOLEAH GHAUT TO BUHM DEO THEREWITH RECEIVED A COPY HAVING BEEN TAKEN FOR RECORD IN THIS DEPARTMENT \PAR SIGNED W.CABBITT MAJOR \PAR SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILITARY DEPARTMENT\PAR \PAR DEPUTY JUDGE ADVOCATE GENERAL PRESIDENCY NO 30 ENTRY.\PAR \PAR FROM DEPUTY JUDGE ADVOCATE GENERAL IN CHARGE OF THE JUDGE ADVOCATE GENERALS OFFICE\PAR \PAR TO MAJOR W.CUBITT OFFICIATING SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILKITARY DEPARTMENT NO 227 AND 227A ENTRIES DATED 16TH MARCH 1839\PAR \PAR SIR\PAR I HAVE THE HONOR TRANSMIT TO YOU THE ACCOMPANYING COPY OF THE PROCEEDINGS OF AN EUROPEAN GENERAL COURT MARSHAL HELD IN CAMP NEAR ROSEE ON THE LEFT BANK OF THE INDIES ON THE TRIAL OF LIEUTENANT SIR ALEXANDER MACKENZIE BARONET 48TH NATIVE INFANTRY\PAR \PAR I HAVE THE HONOR TO BE--- SIGNED H.BIRCH DEPUTY JUDGE ADVOCATE GENERAL IN CHARGE JUDGE ADVOCATE GENERALS OFFICE PRESIDING OF FORT WILLIAM 16TH MARCH 1839\PAR \PAR ENLOSURE NO 227A ENTRY\PAR EXTRACT FROM THE PROCEEDINGS OF A GENERAL COURT MARCHAL HELD ON THE 26TH JANUARY 1839 FOR THE TRIAL OF LIEUTENANT SIR ALEXANDER

MACKENZIE BARONET OF THE 48TH NATIVE
INFANTRY\PAR \PAR \fs32 FORT WILLIAM\PAR
\fs20 18TH MARCH 1839\PAR REVISED
FINDING\PAR THE COURT HAVING ATTENTIVELY
CONSIDERED THE ABOVE LETTER FROM THE
DEPUTY ADJUTANT GENERAL OF THE ARMY TO
THE PRESIDENT BEG TO STATE THAT BY NO
MEANS INTEND TO IMPUNE THE CREDIBILITY OF
MAJOR THOMSONS EVIDENCE BUT BEING OF
OPINION THAT THE MAJOR MIGHT HAVE
MISAPPREHENDED THE WORDS ACCUSED BY
LIEUTENANT SIR ALEXANDER MACKENZIE
OWING TO THE HURRY AND CONFUSION OF THE
MOMENT THE COURT WITH THE ABOVE
QUALIFICATION ADHERE TO THERE FINDING OF
ACQUITTAL WHICH FINDING HAS BEEN
CONFIRMED BY MAJOR GENERAL SIR
WILLENGHBY COTTON H.C.B. D.AND C.H.
COMMANDING THE BENGAL COLUMN OF THE
ARMY OF THE INDIAS\PAR \PAR BY ORDER OF
THE COMMANDER OF THE FORCE\PAR SIGNED
J.R.LUMLEY M.G. ADJUTANT GENERAL OF THE
ARMY\PAR \PAR ENTRY NO 376 FROM THE
REVEREND J.MACQUEEN SEC. MILITARY
ORPHAN SOCIETY\PAR TO MAJOR W.CUBITT
OFFICIATING SECRETARY TO THE GOVERNMENT
OF INDIA IN THE MILITARY DEPARTMENT FORT
WILLIAM DATED 12TH MARCH 1839\PAR \PAR
SIR\PAR IN REPLY TO YOUR LETTER NO 97 OF
THE 4TH INSTANT REQUESTING TO BE
FURNISHED WITH A PRINTED COPY OF THE
RULES AND REGULATIONS OF THE MILITARY
ORPHAN SOCIETY FOR THE TRANSMISSION TO
THE CEYLON GOVERNMENT I HAVE THE HONOR
TO FORWARD HERewith A PRINTED COPY OF
THE LAST EDITION OF THE ABOVE RULES AND
REGULATIONS\PAR KUDDESPORE 12 MARCH
1839\PAR SIGNED J.MACQUEEN\cf0\PAR }

48 JOHN CHAMBERS 1841

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{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}{\*\GENERATOR MSFTEDIT 5.41.15.1507;}\VIEWKIND4\UC1\PARD\F0\Fs20 AT SCOTTISH RECORD OFFICE EDINBURGH A SERVICE OF HEIR TO JAMES SUTHERLAND
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MACKENZIE YOUNGER BROTHER OF THE
DEFUNCT CAPTAIN ALEXANDER MACKENZIE
REFERENCE C22/159 CROSS REFERENCE TO
ORIGINAL RETOUR C24/135. \PAR \PAR THIS
ENQUIRY WAS HELD IN THE COURT OF THE
BAILIES OF THE TOWN OF EDINBURGH ON THE
SEVENTEENTH DAY OF THE MONTH OF
SEPTEMBER IN THE YEAR OF THE LORD ONE
THOUSAND EIGHT HUNDRED AND FORTY ONE
BEFORE THE HONOURABLE MAN WILLIAM
JOHNSTON ONE OF THE BAILIES OF THE SAID
TOWN BY THESE HONEST AND TRUE MEN OF THE
FATHERLAND LISTED BELOW VIZ ROBERT
LOCKHART DYMOCH ARMIGER SOLICITOR IN
EDINBURGH JOSEPH GORDON ARMIGER CLERK
SIGNETO REGIS THOMAS POTTS ROBERT
MORHAM WILLIAM ELIOT BUIST WILLIAM HORN
THOMAS MCMILLAN JAMES TURNBULL WILLIAM
SHANKS ROBERT BEATSON AND GORDON
CLUNES CLERK IN EDINBURGH ALEXANDER
DEUCHAR ENGRAVER OF SEALS IBID JOHN
CHAMBERS ARCHITECT IBID DAVID LAWSON
LICTOREM DECANI GILDAE IBID AND ROBERT
LATTA LIE TACKSMAN IBID THESE HAVING
TAKEN THE SOLEMN OATH STATED THAT A
CERTAIN LORD ALEXANDER MACKENZIE OF
TARBAT BARONET CAPTAIN IN THE 48TH
REGIMENT CALLED THE BENGAL NATIVE
INFANTRY ONLY BROTHER OF LORD JAMES
SUTHERLAND MACKENZIE OF TARBAT BARONET
BEARER OF THE PRESENT PETITION DIED IN THE
FAITH AND PEACE OF OUR SOVEREIGN QUEEN
THAT THE SAID DEFUNCT CAPTAIN LORD
ALEXANDER MACKENZIE OF TARBAT BARONET
WAS THE ELDEST LEGITIMATE SON AND MALE
HEIR TAILLIAE ET PROVISIONIS DESERVITUS ET
RETORNATUS OF LIEUTENANT-COLONEL
ROBERT MACKENZIE ERSWHILE IN THE SERVICE
OF THE HONOURABLE EAST INDIA COMPANY

WHO WAS LEGITIMATE ELDEST SON OF THE DEFUNCT ALEXANDER MACKENZIE LATE OF ARDLOCH WHO WAS THE LEGITIMATE ELDEST SON OF ALEXANDER MACKENZIE OF ARDLOCH WHO WAS LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT BARONET AND YOUNGER BROTHER GERMAIN OF LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD MACLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BOTH OF WHOM ARE DEAD AND THAT HE THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE WAS MALE HEIR TALLIAE ET PROVISIONIS DESRVITUS ET RETORNATUS AD KENNETH MACKENZIE OF CROMARTY WHO WAS HEIR DESERVITUS ET RETORNATUS OF LORD KENNETH MACKENZIE OF GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS OF GEORGE MACKENZIE OF GRANDVILLE HIS ELDER BROTHER WHO WAS LEGITIMATE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTY LEGITIMATE SECOND SON OF THE SAID LORD GEORGE MACKENZIE OF TARBAT AND LATER VICE-COUNT TARBAT LORD MCLEOD AN CASTLEHAVEN AND EARL OF CROMARTY AT THE DEATH OF WHOM OF THE SAID KENNETH MACKENZIE OF CROMARTY WITHOUT LEGITIMATE MALE ISSUE HE PROCREATED A MALE HEIR FROM THE BODY OF LORD GEORGE MACKENZIE OF TARBAT LATER VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY FAILING THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRANDSON PRONEPOS OF THE SAID ALEXANDER MACKENZIE OF ARDLOCH ONLY BROTHER OF THE SAID LORD GEORGE MACKENZIE OF TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY FROM WHOSE BODY MALE HEIRS ARE NOW IN EXISTENSE HAD RIGHT OF RECEIVING THE

SUCCESSION WHICH SUCCESSION HAD OPENED BY THE DEATH OF THE SAID KENNETH MACKENZIE OF CROMARTY UNDER THE DISPOSITION AND WRITTEN DOCUMENT SYNGRATHA OF TALLIA CONTAINING THE PROVISION CONDITIONS AND IRRITANT CLAUSES AND RESOLUTIONS THEREIN SPECIFIED MADE AND DRAWN UP BY THE SAID LORD GEORGE MACKENZIE OF TARBAT BARONET THEN VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN LATER EARL OF CROMARTY GIVEN ON THE TWENTY EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSANT SIX HUNDRED AND EIGHTY EIGHT BY WHICH DISPOSITION AND WRITTEN DOCUMENT OF TALLIA HE THE SAID LORD GEORGE MACKENZIE GAVE AND DISPOSED THE TOTAL INTEGRAL LANDS AND BARONY OF ROYSTON INCLUDING PARTICULAR LANDS THEREIN MENTIONED LYING WITHIN THE VICE-COUNTY OF EDINBURGH TO MASTER JAMES MACKENZIE HIS LEGITIMATE THIRD BORN SON AFTERWARDS LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSIONS AND TO THE LEGITIMATE MALE HEIRS PROCREATED FROM HIS BODY WHOM FAILING TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY THERIN DESIGNATED AS MASTER KENNETH MACKENZIE HIS SECOND SON WHO LATER BECAME LORD KENNETH MACKENZIE OF TARBAT BARONET AND TO HIS MALE HEIR LEGITAMATELY BEGOTTEN FROM HIS BODY WHOM FAILLING TO JOHN MASTER OF TARBAT HIS ELDEST SON LATER EARL OF CROMARTY AND TO THE MALE HEIRS FROM HIS BODY WHOM FAILING TO THE MALE HEIRS BEGOTTEN OR TO BE BEGOTTEN FROM THE BODY OF THE SAID EARL WHOM FAILING TO ANY OTHER PERSON OR PERSONS NAMED BY HIM IN

THE MANNER MENTIONED IN THE SAID WRIT OF TALLIE SYNGRAPHA TALLIAE WHOM FAILING TO OTHER MALE HEIRS OF THE AID EARL WHO ALL FAILING TO HIS NEAREST HEIRS AND ASSIGNS WHOMSOEVER IN HERITAGE AND FOREVER IRREDIMABILITER WHEREFORE THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE NEAREST AND LEGITIMATE MALE HEIR OF THE SAID LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER OF THE SAID ALEXANDER MACKENZIE OF ARDLOCH HIS GREAT-GRAND-UNCLE ABAVUS AND WHO ALSO THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE NEAREST AND LEGITIMATE MALE HEIR OF THE PROVISIONS IN GENERAL OF LORD KENNETH MACKENZIE THIRD LEGITIMATE SON OF THE SAID KENNETH MACKENZIE LATER LORD KENNETH MACKENZIE SECOND LEGITIMATE SON OF THE SAID GEORGE MACKENZIE OF TARBAT BARONET LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT GREAT-GRANDSON PRONEPOS OF ALEXANDER MACKENZIE OF ARDLOCH GREAT-GRAND-FATHER ABAVUS OF THE SAID CAPTAIN LORD ALEXANDER MACKENZIE BARONET AND THAT THE SAID LORD JAMES SUTHERLAND MACKENZIE PRESENTER OF THIS PETITION IS THE NEAREST AND LEGITIMATE MALE HEIR OF TALLIAE ET PROVISIONIS UNDER THE SAID DISPOSITION AND WRIT OF TALLIA AND ALSO HE IS THE NEAREST AND LEGITIMATE MALE HEIR TO THE GENERAL PROVISIONS OF THE SAID LORD ALEXANDER MACKENZIE HIS ONLY BROTHER AND THAT HE IS OF LEGITIMATE LEGAL AGE IN WITNESS TO THESE THINGS THE SIGNATURE OR

SEAL OF SEVERAL OF THOSE WHO WERE
CONCERNED IN THE SAID ENQUIRY WITH THE
BREVI REGIS DEBITE EXCUTO INCLUSO AND THE
SEAL OF THE SAID BAILLIE ARE HEREUNTO
APPENDED TO THE PRESENT DOCUMENT IN THE
PLACE AND ON THE DAY MONTH AND YEAR
AFOREMENTIONED EXTRACT MADE FROM THE
BOOKS OF THE ACTS OF COURT OF THE SAID
BURGH BY ME CARLYLE BELL CONJ. CLERK
EIGHTH OCTOBER 1841.\PAR }

49 CLAIM 1826

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\
FONTTBL{\F0\FSWISS\FCHARSET0 ARIAL;}}
{*\GENERATOR MsFTEDIT
5.41.15.1507;}\VIEWKIND4\UC1\PAR\F0\Fs20
SC 34/4/50 NUMBER 25 CLAIM FOR
ALEXANDER MACKENZIE ESQ 7TH AUGUST
1826\PAR AND NUMBER 18 AT THE SHERIFF
COURT OF TAIN ROSSHIRE.\PAR \PAR
HONORABLE PERSONS AND GOOD MEN OF
INQUEST I ALEXANDER MACKENZIE ESQUIRE
PRESENTLY IN THE MILITARY SERVICE OF THE
HONORABLE SOCIETY OF MERCHANTS TRADING
TO THE EAST INDIES SAY UNTO YOUR WISDOMS
THAT SIR GEORGE MACKENZIE OF TARBAT

BARONET AFTERWARDS VISCOUNT TARBAT
LORD MCLEOD AND CASTLEHAVEN AND EARL
OF CROMARTY ELDEST SON OF JOHN
MACKENZIE OF TARBAT BARONET WHO WAS
ELDEST SON OF SIR RODERICK MACKENZIE OF
COIGACH KNIGHT BROTHER GERMAN OF
ALEXANDER MACKENZIE MY GREAT-GREAT-
GRANDFATHER DIED AT THE FAITH AND PEACE
OF OUR SOVEREIGN LORD THE KING AND THAT I
AM NEAREST AND LAWFUL HEIR MALE OF THE
SAID UMGUBILE SIR GEORGE MACKENZIE OF
TARBAT BARONET AFTERWARDS VISCOUNT
TARBAT LORD MACLEOD AND CASTLEHAVEN
AND EARL OF CROMARTY THE BROTHER OF MY
SAID GREAT-GREAT-GRANDFATHER AND THAT I
AM OF LAWFUL AGE THEREFORE I BESEECH
YOUR WISDOMS AND COGNOSE ME NEAREST
LAWFUL HEIR MALE OF THE SAID UMGUBILE SIR
GEORGE MACKENZIE OF TARBAT AFTERWARDS
VISCOUNT LORD MACLEOD AND CASTLEHAVEN
AND EARL OF CROMARTY THE BROTHER OF MY
SAID GREAT-GREAT-GRANDFATHER ALEXANDER
MACKENZIE AND CAUSE YOUR CLERK TO
RETOUR MY SAID SERVICE TO HIS MAJESTIES
CHANCERY UNDER YOUR SEALS ACCORDING TO
JUSTICE AND YOUR WISDOMS ANSWER\PAR
SIGNED JOHN MACKENZIE\PAR JOHN
ANDERSON\PAR }

50 SIR DONALD MACDONALD

{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG2057{\FONTTBL{\F0\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}{\ * \GENERATOR MSFTEDIT 5.41.15.1503;}\VIEWKIND4\UC1\PAR\F0\FS16\TAB SASINE WILLIAM FRASER OF CULBOKIE INVERNESS\PAR \TAB RS2788/3. \PAR \TAB\PAR \TAB\PAR \TAB AT EDINBURGH 23/5/1856 BETWEEN THE HOURS OF TWO AND THREE IN\PAR \TAB THE AFTERNOON THE INSTRUMENT OF SASINE UNDER WRITEN WAS BY\PAR \TAB JAMES MASON SOLICITOR SUPREME COURTS EDINBURGH PRESENTED\PAR \TAB FOR REGISTRATION AND IS INGROSSED IN THE TWO THOUSAND\PAR \TAB SEVEN HUNDRED AND EIGHTY EIGHT BOOK OF THE NEW GENERAL\PAR \TAB REGISTER OF SASINES REVERSIONS AS FOLLOWS VIZ. AT EDINBURGH\PAR \TAB THERE WAS BY OR ON BEHALF OF WILLIAM FRASER ESQUIRE OF\PAR \TAB CULBOKIE LATE CAPTAIN IN THE SEVENTY SIXTH REGIMENT OF\PAR \TAB INVERNESSHIRE MILITIA PRESENTED TO ME NOTARY PUBLIC \PAR \TAB SUBSCRIBING A CHARTER OF SALE UNDER THE SEAL NOW USED\PAR \TAB FOR THE GREAT SEAL OF SCOTLAND AND BEARING DATE AS IN\PAR \TAB THE PRECEPT OF SASINE AND SEALING HEREINAFTER INSERTED\PAR \TAB BY WHICH CHARTER VICTORIA BY THE GRACE OF GOD OF THE \PAR \TAB UNITED KINGDOM OF GREAT BRITAIN AND IRELAND QUEEN DEFENDER\PAR \TAB OF THE FAITH GAVE AND GRANTED AND DISPONED AND FOR EVER\PAR \TAB CONFIRMED TO THE SAID WILLIAM FRASER AND HIS HEIRS AND\PAR \TAB ASSIGNEES WHOMSOEVER HERITABLY AND IRREDEEMABLY ALL\PAR \TAB AND WHOLE THE FOLLOWINGPARTS AND PORTIONS OF THE

LANDS\PAR \TAB AND BARONY OF MACDONALD
 VIZ. ALL AND WHOLE THOSE PARTS\PAR \TAB
 AND PORTIONS LYING TO THE NORTH OF THE
 MARCHS OF THE FARMS\PAR \TAB OR LANDS OF
 KINGSBURGH AND SCORRIEBRECK OF THE
 FOLLOWING\PAR \TAB PARTS AND PORTIONS OF
 THE SAID LANDS OF THE BARONY OF\PAR \TAB
 MACDONALD VIZ. THE TEN PENNY LAND
 KILLIEVAXTER IN\PAR \TAB TROTTERNISH WITH
 PARTS PENDICLES AND PERTINENTS ALL\PAR
 \TAB AND WHOLE THE 80 MERKS LANDS OF
 TROTTERNISH WITH CASTLE \PAR \TAB TOWERS
 FORTALICES MANOR PLACES MILLS MULTURES
 WOODS\PAR \TAB FISHING AS WELL OF SALMON
 AND AS WELL IN SALT WATER AS IN FRESH\PAR
 \TAB WATER MOUNTAINS HILLS MUIRS MARSHES
 COMMONTIES PRIVILEGES\PAR \TAB
 PASTURAGES PARTS PENDICLES ANNEXIS
 CONNEXIS OUTSETS\PAR \TAB
 COMPREHENDING OR CONSISTING THE SAID
 LANDS AND OTHERS\PAR \TAB OF THE ENTIRE
 OR ALMOST THE ENTIRE PARISH OF KILMUIR
 AND PART OF\PAR \TAB THE PARISH OF
 SNIGZORT IN THE ISLE OF SKYE OF SKYE ALL
 AS\PAR \TAB DESCRIBED IN THE ARTICLES AND
 CONDITIONS OF ROUP THEREOF\PAR \TAB
 DATED 30/5/1855 YEARS AND WHICH NOT
 WITHSTANDING THE\PAR \TAB DESCRIPTION
 THEREIN AND ABOVE GIVEN FROM THE TITLE
 DEEDS\PAR \TAB OF THE ESTATE IT IS BY SAID
 CHARTERS AS IT WAS BY THE\PAR \TAB SAID
 ARTICLES AND CONDITIONS OF ROUP
 DECLARED SHOULD\PAR \TAB BE HELD TO
 COMPREHEND AND TO CONSIST OF THOSE
 PARTS\PAR \TAB AND PORTIONS OF THE SAID
 LANDS AND BARONY OF MCDONALD\PAR \TAB
 IN THE THE PARISHES OF KILMUIR AND SNZORT
 AND ISLAND\PAR \TAB OF SKYE SITUATED AND
 LYING TO THE NORTH OF THE PRESENT\PAR
 \TAB MARCHES OF THE FARMS OF KINGSBURGH

AND SCORRIEBRECK\PAR \TAB AS IN THE SAID FARMS ARE NOW POSSESSED BY MR DONALD\PAR \TAB MCLEOD THE PRESENT TENANT THEREOF AS THE SAID LINES\PAR \TAB OF MARCH WERE SOMETIME MARKED AND PITTED OFF BY ALEXANDER\PAR \TAB KENNETH MACKINNON ESQ. THE FACTOR FOR THE RIGHT HONOURABLE\PAR \TAB GODFREY WILLIAM WENTWORTH LORD MACDONALD AND NO OTHER\PAR \TAB LANDS AND THAT FREE FROM THE FETTERS OF THE CONTRACT OR DEED\PAR \TAB OF ENTAIL OF THE LANDS AND BARONY OF MCDONALD DATED THE \PAR \TAB 07/9/ AND 08/11/1726 AND REGISTERED IN THE REGISTER OF TALZIES\PAR \TAB ON THE 23/6/1836 MADE AND GRANTED BY AND BETWEEN MR KENNETH\PAR \TAB MACKENZIE ADVOCATE OF THE ONE PART AND ALEXANDER MACDONALD\PAR \TAB ONLY SON THEN IN LIFE OF THE DECEASED JAMES MACDONALD BROTHER\PAR \TAB TO THE LATE SIR DONALD MACDONALD OF THAT ILK OF THE OTHER\PAR \TAB PART AND FREE OF ALL DEBTS DILEGENCES AND INCUMBRANCES\PAR \TAB AFFECTING THE SAID LANDS AND OTHERS ABOVE DESCRIBED UNDER\PAR \TAB ALL THE CONDITIONS PROVISIONS AND DECLARATIONS SPECIFIED\PAR \TAB AND CONTAINED IN THE ARTICLES AND CONDITIONS OF ROUP BEFORE\PAR \TAB MENTIONED WHICH ARE IN SAID CHARTER SPECIALLY REFERED TO\PAR \TAB BREVITATIS CAUSA AND WHICH TEN PENNY LAND OF KILLEVAXTER\PAR \TAB AND EIGHTY MERK LANDS OF TROTTERNISH AND OTHERS ABOVE\PAR \TAB DESCRIBED ARE PART OF THE LANDS AND BARONY OF MACDONALD \PAR \TAB CONTAINED IN A PRECEPT FROM CHANCERY DATED SEVENTH MAY\PAR \TAB EIGHTEEN HUNDRED AND THIRTY THREE FOR

INFECTING THE SAID\PAR \TAB RIGHT
 HONORABLE GODFREY WILLIAM WENTWORTH
 LORD MCDONALD\PAR \TAB THEREIN DESIGNED
 THE RIGHT HONOURABLE LORD GODFREY
 WILLIAM\PAR \TAB WENTWORTH MACDONALD
 OF THE ISLES BARONET OF MACDONALD\PAR
 \TAB LORD OF SLATE BARON MACDONALD IN
 THE SAID LANDS AND BARONY\PAR \TAB OF
 MACDONALD AS ELDEST SON AND NEAREST
 AND LAWFUL HEIR OF \PAR \TAB TALZIE AND
 PROVISION IN SPECIAL OF LIEUTENANT
 GENERAL LORD\PAR \TAB GODFREY BOSVILLE
 MACDONALD OF THE ISLES BARONET OF
 MACDONALD\PAR \TAB LORD OF SLATE BARON
 MACDONALD HIS FATHER AND INSTRUMENT
 OF\PAR \TAB SASINE FOLLOWING THEREON IN
 FAVOUR OF THE SAID RIGHT HONOURABLE\PAR
 \TAB GODFREY WILLIAM WENTWORTH LORD
 MACDONALD IN THE SAID LANDS\PAR \TAB AND
 BARONY OF MACDONALD DATED 15/05/1833
 AND RECORDED IN THE\PAR \TAB GENERAL
 REGISTER OF SASINES AT EDINBURGH THE
 11/07/1833 AND\PAR \TAB WHICH LANDS AND
 OTHERS ABOVE DESCRIBED ARE BY THE SAID
 CHARTER\PAR \TAB DISUNITED FROM ALL AND
 SUNDRY EARLDOMS LORDSHIPS BARONIES
 AND\PAR \TAB OTHERS WHATSOEVER
 WHEREUNTO THEY WERE FORMERLY UNITED
 AND\PAR \TAB ANNEXED OR WHEREOF THEY
 WERE PARTS AND PERTINENTS TO BE
 HOLDEN\PAR \TAB THE SAID LANDS AND
 OTHERS OF THE CROWN IN FREE BLENCH
 FARM\PAR \TAB FEE AND HERITAGE FOR EVER
 FOR PAYMENT THEREFOR OF A PENNY
 SCOTS\PAR \TAB AT WHITSUNDAY YEARLY OF
 BLENCH DUTY IF ASKED ONLY WHICH
 CHARTER\PAR \TAB ONLY WHICH CONTAINS A
 PRECEPT OF SASINE IN THE FOLLOWING
 TERMS\PAR \TAB MOREOVER WE DESIRE ANY
 NOTARY PUBLIC TO WHOM THIS CHARTER\PAR

\TAB MAY BE PRESENT TO GIVE TO THE SAID
WILLIAM FRASER OR HIS FORESAIDS\PAR \TAB
SASINE OF THE LANDS AND OTHERS ABOVE
DESCRIBED AND THAT FREED \PAR \TAB FROM
THE FETTERS OF THE CONTRACT OR DEED OF
ENTAIL ABOVE\PAR \TAB REFERRED TO AND OF
ALL DEBTS DILEGENCE AND
INCUMBRANCES\PAR \TAB AFFECTING THE
SAME IN WITNESS WHEREOF WE HAVE
ORDERED THE SEAL\PAR \TAB NOW USED FOR
THE GREAT SEAL OF SCOTLAND TO BE
APPENDED HERETO\PAR \TAB OF THIS DATE
AND THE SAME IS ACCORDINGLY APPENDED AT
EDINBURGH\PAR \TAB THE 16/05/1856 YEARS.
ARCHIBALD MCNEILL DIRECTOR OF
CHANCERY\PAR \TAB F.W.L.GORDON
SUBSTITUTE KEEPER OF THE SEAL 24 POUNDS
SCOTTS\PAR \TAB MONEY IN VIRTUE OF WHICH
PRECEPT I HERBY GIVE SASINE TO THE SAID\PAR
\TAB WILLIAM FRASER OF THE LANDS AND
OTHERS ABOVE DESCRIBED AND THAT\PAR \TAB
FREED FROM THE FETTERS OF THE SAID
CONTRACT OR DEED OF ENTAIL \PAR \TAB
BEFORE REFERED TO AND OF ALL DEBTS
DILEGENCES AND INCUMBRANCES\PAR \TAB
AFFECTING THE SAME IN WITNESS WHEREOF I
HAVE SUBSCRIBED THESE\PAR \TAB PRESENTS
WRITEN APON THIS AND THE TWO PRECEEDING
PAGES\PAR \TAB BY ALEXANDER ARCHIBALD
APPRENTICE TO JAMES MASON SOLICITOR\PAR
\TAB SUPREME COURTS EDINBURGH BEFORE
THESE WITNESSES THE SAID\PAR \TAB JAMES
MASON AND ALEXANDER ARCHIBALD BOTH
ABOVE DESIGNED\PAR \TAB PEIEGI WILLIAM
MASON NOTARY PUBLIC JAMES MASON
WITNESS\PAR \TAB ALEXANDER WITNESS
COLLATED BY JAMES LINDSAY WRITTEN BY\PAR
\TAB GEORGE Y. RUTHERFORD.\PAR \PAR \PAR
\TAB\PAR }

1. ADAM, FATHER OF
2. SHEETH, FATHER OF
3. YAANISH, FATHER OF
4. QAYNAN, FATHER OF
5. MAHLIL, FATHER OF
6. YARD, FATHER OF

7. AKHNOOKH, FATHER OF
8. MATTOOSHALAKH, FATHER OF
9. LAMK, FATHER OF
10. NOOH, FATHER OF
11. SAAM, FATHER OF
12. ARFAKHSHADH, FATHER OF
13. SHAALIKH, FATHER OF
14. AYBAR, FATHER OF
15. FAALIKH, FATHER OF
16. RAA'OO, FATHER OF
17. SAAROOGH, FATHER OF
18. NAAHOOR, FATHER OF
19. TARIH, FATHER OF
20. IBRAHEEM, FATHER OF
21. ISMAA'EEL, FATHER OF ISAAC/ISHAG
22. NAABIT, FATHER OF
 JACOB/ISRAEL/YAQUB
23. YASHJUB, FATHER OF LAVI
24. YA'RUB, FATHER OF QAMAT

25. TAYRAH, FATHER OF IMRAM
26. NAAHOOR, FATHER OF MOSES/MUSA
27. MUQAWWAM, FATHER OF
28. UDD (UDAD?), FATHER OF
29. 'ADNAAN, FATHER OF
30. MA'ADD, FATHER OF
31. NIZAAR, FATHER OF IMRAN
32. MUDAR, FATHER OF VIRGIN
MARY/MARYAM
33. ILYAAS, FATHER OF JESUS
34. MUDRIKA, FATHER OF
35. KHUZAYMA, FATHER OF
36. KINAANA, FATHER OF
37. AL-NADR, FATHER OF
38. MALIK, FATHER OF
39. FIHR, FATHER OF
40. GHAALIB, FATHER OF
41. LU'AYY, FATHER OF
42. KA'B, FATHER OF
43. MURRA, FATHER OF

44. KILAAB, FATHER OF
45. QUSAYY, FATHER OF
46. 'ABDU-MANAAF, FATHER OF
47. HAASHIM, FATHER OF
48. 'ABDUL-MUTTALIB, FATHER OF
49. 'ABDULLAAH, FATHER OF
50. MUHAMMAD
51. FATIMA
52. HASAN
53. HUSAIN
54. ZOHRA
55. NAIM AL-LAKHMI
56. ITAF
57. AMR
58. ASLAN
59. AMR
60. ABBAD
61. QARAIS
62. ISMAIL

63. MUHAMMAD 1

64. MUHAMMAD 2

65. MUHAMMAD 3

66. EMIR OF SEVILLE, SPAIN.

67.

68.

69.

70.

SONNA

FERNANDO

SUARO FERNANDEZ

SUARO SUAREZ

DIEGO SUAREZ

SUARO DIAZ

FORTUN ZURIA

LOPE FORTUNEZ

NUNO LOPEZ

LOPE NUNEZ

INIGO LOPEZ

[HTTP://FMG.AC/PROJECTS/MEDLANDS/NAVARRE
%20NOBILITY.HTM#INIGOLOPEZDIED1077](http://fmg.ac/projects/medlands/navarre%20nobility.htm#inigolopezdied1077)

LOPE INIGUEZ

DIEGO LOPEZ (**EL BLANCO**)

LOPE INIGUEZ

ZURIA LOPEZ, JAUN ZURIA ("THE WHITE LORD") IS THE MYTHICAL FIRST LORD OF BISCAY. ACCORDING TO THE LEGEND, HE WAS BORN FROM A SCOTTISH PRINCESS THAT HAD BEEN VISITED BY GOD SUGAAR IN THE VILLAGE OF MUNDAKA. THE 15TH CENTURY WARLORD LOPE GARCÍA DE SALÁZAR ADAPTED A HISTORY FROM THE LIBRO DOS LINHAGEMS BY PEDRO ALFONSO, MAKING JAUN ZURIA A NOBLE ELECTED BY THE BISCAYNE PEOPLE TO LEAD THEM AGAINST A LEONESE ARMY IN THE MYTHICAL BATTLE OF ARRIGORRIAGA.

ANOTHER VERSION MAKES JUAN ZURIA AN IRISH PRINCE NAMED LEMOR MACMORNA. WHILE HUNTING WITH HIS BROTHER ARMIN IN THE FOREST HE KILLED HIS FATHER WITH A STRAY ARROW. LEMOR WAS SET ADRIFT IN A SMALL BOAT WITH TWO OTHER WARRIORS AND WASHED UP ON SHORE IN MUNDAKA. KING LEKOBIDE OF EUSKADI OFFERED HIM SANCTUARY IN THE VALLEY OF PADURA AND LEMOR FELL IN LOVE WITH HIS DAUGHTER LUZ. LEMOR SLEW THE INVADING LONESE KING ORDONO, WAS GIVEN THE RESPECTFUL NAME ZURIA (THE WHITE LORD) AND BECAME THE FIRST LORD OF BISCAY.

THE HISTORICAL LORDSHIP OF BISCAY WAS CREATED BY THE CASTILIANS AFTER THEY CONQUERED THE TERRITORY OF NAVARRE IN 1200 AND THE STORY SERVES TO LEGITIMISE THEIR DYNASTY.

MANSO LOPEZ

INIGO LOPEZ, CONDE DE BISCAY, c 1076, M IN 1050
TODA ORTIZ DAU OF FORTÚN SANCHEZ DE NÁJERA

LOPE ÍÑIGO LÓPEZ (FLORUIT 1040–1076) WAS THE **FIRST** LORD OF BISCAY.[1] ALTHOUGH THE DATE IS NOT KNOWN PRECISELY, ÍÑIGO'S GOVERNMENT OF BISCAY BEGAN BETWEEN 1040 AND 1043 AT THE LATEST.[2] IT WAS CERTAINLY BY APPOINTMENT OF THE KING, **GARCÍA SÁNCHEZ III** OF NAVARRE, AND NOT A HEREDITARY RIGHT.[3] AT SOME POINT HE RECEIVED THE RANK OF COUNT (COMES IN LATIN) AND THE STYLE "BY THE GRACE OF GOD" (GRATIA DEI).[4]

ÍÑIGO'S ORIGINS ARE OBSCURE, BUT HE MAY HAVE BEEN A SON OF **LOPE VELÁZQUEZ DE AYALA**, A LORD IN **ÁLAVA**, CANTABRIA AND NEARBY PARTS OF BISCAY. HE MARRIED **TODA ORTIZ** (FORTÚNEZ), PROBABLY A DAUGHTER OF **FORTÚN SÁNCHEZ**, THE GODFATHER OF **GARCÍA SÁNCHEZ**. [5] HIS FATHER-IN-LAW AND **GARCÍA SÁNCHEZ** BOTH DIED IN THE BATTLE OF **ATAPUERCA** IN 1054 AND ÍÑIGO MAY HAVE SUCCEEDED THE FORMER AS TENENTE (LORD "HOLDING" THE GOVERNMENT ON BEHALF OF THE KING) IN **NÁJERA**. [3] DOCUMENTS PLACE HIS RULE IN **NÁJERA** BETWEEN 1063 AND 1075, OFTEN THROUGH A VICAR. [2] BESIDES BISCAY AND **NÁJERA**, ÍÑIGO ALSO RULED **DURANGO**. [6]

IN 1051, WHEN **GARCÍA SÁNCHEZ** GRANTED FUEROS TO BISCAY, HE OFFICIALLY ASSOCIATED ÍÑIGO WITH HIM IN THE DECREE, AS THE HEAD OF THE LOCAL ARISTOCRACY (OMNES MILITES), RECOGNISING THE RIGHTS AND PRIVILEGES OF THE MONASTERIES. [7] ÍÑIGO IS FURTHER ASSOCIATED WITH MONASTIC RENOVATION BY HIS MAKING OR CONFIRMING THE DONATIONS OF THE CHURCHES (MONASTERIA) OF **SAN JUAN DE GAZTELUGATXE**, **SANTA MARÍA DE MUNDACA**, AND **BERMEO** TO **SAN JUAN DE LA PEÑA**, AND OF **AXPE DE BUSTURIA** AND **SAN MARTÍN DE YURRETA** TO **SAN MILLÁN DE LA COGOLLA**. [2] IN 1076, AFTER THE ASSASSINATION OF **SANCHO GARCÉS IV** AND THE

DIVISION OF NAVARRE BY THE ARMIES OF HIS COUSINS, SANCHO I OF ARAGON AND ALFONSO VI OF LEÓN AND CASTILE, ÍÑIGO ACCEPTED THE OVERLORDSHIP OF THE LEONESE-CASTILIAN MONARCH. IN THE SURVIVING TEXT OF THE FUERO GIVEN TO NÁJERA THAT YEAR ÍÑIGO'S ELDEST SON, LOPE, APPEARS SWEARING FEALTY TO ALFONSO, BUT HE IS NOT RECORDED IN DOCUMENTS AS COUNT IN BISCAY UNTIL 1079. THESE DATES BEING THE TERMINI AD ET POST QUEM OF HIS DEATH.[8] HE IS LAST RECORDED IN A DONATION HE MADE TO SAN MILLÁN ON BEHALF OF HIS LATE WIFE. IN THE DONATION HE NAMES AS THEIR CHILDREN, BESIDE LOPE: GARCÍA, GALINDO, MENCÍA, AND SANCHO, WHO DIED YOUNG.

LOPEZ DIAZ, DIEGO LÓPEZ I DE HARO (DIED 1124×6) WAS THE **THIRD** LORD OF BISCAY, AND ALSO THE RULER OF ÁLAVA, BURADÓN, GRAÑÓN, NÁJERA, HARO, AND PERHAPS GUIPÚZCOA: THE MOST POWERFUL CASTILIAN MAGNATE IN THE BASQUE COUNTRY AND THE RIOJA DURING THE FIRST QUARTER OF THE TWELFTH CENTURY.[1] HE WAS A LOYAL SUPPORTER OF QUEEN URRACA AND HE FOUGHT THE INVADING ARMIES OF HER ESTRANGED HUSBAND ALFONSO THE BATTLER ON TWO, OR PERHAPS THREE, OCCASIONS.

DIEGO SUCCEEDED HIS FATHER, LOPE ÍÑIGUEZ, IN BISCAY (AND PERHAPS GUIPÚZCOA) ON THE LATTER'S DEATH IN 1093, BUT ÁLAVA WENT TO HIS BROTHER-IN-LAW LOPE GONZÁLEZ.[2] ON THE DEATH OF GARCÍA ORDÓÑEZ AT THE BATTLE OF UCLÉS (1108), THE TENENCIAS OF GRAÑÓN, NÁJERA AND HARO PASSED TO DIEGO BY AN ACT OF ALFONSO VI. IN JUNE 1110 DIEGO RECEIVED A GRANT OF PRIVILEGES FROM QUEEN URRACA, ACTING WITHOUT THE CONSENT OF ALFONSO THE BATTLER, WHEREBY SHE GAVE ALL HIS PATRIMONIAL LANDS (THAT IS, LANDS HE OWNED, NOT FISCAL LANDS HE GOVERNED ON BEHALF OF THE CROWN) COMPLETE IMMUNITY FROM CONFISCATION.[1] IN AUGUST URRACA, THEN ADVANCING WITH HER ARMY

ON ZARAGOZA, CONFIRMED SOME RIGHTS AND PRIVILEGES OF THE MONASTERY OF SAN MILLÁN DE LA COGOLLA, AN ACT CONFIRMED BY THE THREE MOST IMPORTANT MAGNATES OF THE REGION: SANCHO, COUNT OF PAMPLONA, DIEGO, DESCRIBED AS SENIOR IN NAGERA,[3] AND ÍÑIGO JIMÉNEZ DE LOS CAMEROS, DOMINANTE IN CALAHORRA.[4] AT THAT TIME ÍÑIGO JIMÉNEZ WAS ALSO RULING BURADÓN. AFTER LOPE GONZÁLEZ'S DEATH IN 1110 AND BEFORE 1113 DIEGO SUCCEEDED TO ÁLAVA AND RE-UNITED ALL HIS FATHER'S TENENCIAS.[5] IT WAS DIEGO WHO FIRST BEGAN USING THE TOPONYMIC "DE HARO", WHICH BECAME THE FAMILY NAME.

IT IS POSSIBLE THAT DIEGO, ALONGSIDE THE NAVARRESE COUNT LADRÓN ÍÑIGUEZ, FIRST WENT TO WAR AGAINST ALFONSO IN 1112, AND THAT THERE WAS FIGHTING IN THE VICINITY OF CASTROJERIZ THAT JULY. ALFONSO MADE REFERENCE TO DIEGO AND THE FIGHTING IN A CHARTER TO SANTO DOMINGO DE LA CALZADA, BUT THIS CHARTER IS DATED DIFFERENTLY IN EACH OF ITS SURVIVING COPIES. ONE COPY DATES IT TO JULY 1124, WHICH FITS WITH DIEGO'S LAST KNOWN REBELLION.[6] IN AUGUST 1116 DIEGO RAISED THE STANDARD OF REVOLT AGAINST ALFONSO, WHOSE NAVARRESE LANDS HIS LORDSHIPS BORDERED.[1] HE WAS CONSEQUENTLY DEPRIVED OF NÁJERA, WHICH WAS BESTOWED ON FORTUNIO GARCÉS CAIXAL, ALTHOUGH HE MAY NEVER HAD ACTUALLY GIVEN IT UP.[4][5] HE WAS ALLOWED TO RETAIN HARO AND BURADÓN, WHICH HE HAD RECEIVED SOME TIME AFTER 1110. IN FEBRUARY 1117 ALFONSO MADE A DONATION TO SANTA MARÍA LA REAL DE NÁJERA CALLING HIMSELF IMPERATOR AND STILL CLAIMING THE KINGDOMS OF URRACA. THE DONATION WAS CONFIRMED BY DIEGO LÓPEZ, ALONG WITH PEDRO GONZÁLEZ DE LARA AND SUERO VERMÚDEZ, SEVERAL BISHOPS AND MANY ARAGONESE. THE CHARTER IS IN THE STYLE OF THE LEONESE CHANCERY AND ITS AUTHENTICITY HAS BEEN CALLED INTO QUESTION, BUT IT MAY REFLECT A MOMENT OF HEIGHTENED NEGOTIATIONS BETWEEN ALFONSO AND URRACA. IT CANNOT BE TAKEN TO REFLECT A DESERTION ON THE

PART OF HER MAJOR SUPPORTERS (DIEGO, PEDRO AND SUERO).[7] DIEGO REMAINED ON GOOD TERMS WITH ALFONSO IN 1118, WHEN HE PARTICIPATED IN THE RECONQUISTA OF THE GREAT CITY OF ZARAGOZA, AND INTO 1119, TAKING PART IN THE CONTINUING CONQUEST OF THE TAIFA.[5] IN JULY 1124, PERHAPS ENCOURAGED BY URRACA OR HER SON, ALFONSO VII, DIEGO AGAIN AIDED BY LADRÓN OF NAVARRE ROSE AGAINST ALFONSO'S FORCES AND WAS BESIEGED IN HARO BY ALFONSO HIMSELF.[8] ALFONSO CONFISCATED ALL HIS TENENCIAS AND GRANTED THEM TO ÍÑIGO VÉLAZ.[2] THERE IS SOME DISCREPANCY OVER WHEN AND HOW DIEGO DIED. ACCORDING TO SOME SOURCE, HE DIED IN 1124, PROBABLY IN THE FIGHTING,[4] WHILE OTHERS PLACE HIS DEATH IN 1126, AFTER HAVING LOST ALL HIS LANDS AND TITLES.[5]

DIEGO MARRIED A CERTAIN MARÍA SÁNCHEZ OF OBSCURE ORIGINS. IN 1121 HE AND HIS WIFE JOINED HIS SISTER, TODA LÓPEZ, AND HER DAUGHTER, HIS NIECE, MARÍA LÓPEZ, IN MAKING A DONATION TO SANTA MARÍA LA REAL.[9] MARÍA SÁNCHEZ HAS BEEN CALLED A SISTER OF GARCÍA ORDÓÑEZ, AN IMPOSSIBILITY IN LIGHT OF HER PATRONYMIC; A DAUGHTER OF SANCHO NÚÑEZ, SON OF COUNT MUNIO SÁNCHEZ, RULER OF THE DURANGUESADO; AND A SISTER OF LOPE GARCÍA SÁNCHEZ OF THE LLODIO BRANCH OF THE AYALA CLAN. MORE LIKELY THAN ANY OF THESE HYPOTHESES IS THAT SHE WAS A DAUGHTER OF SANCHO SÁNCHEZ DE ERRO, RULER OF TAFALLA IN NAVARRE, AND HIS WIFE, ELVIRA GARCÍA, DAUGHTER OF GARCÍA ORDÓÑEZ. DIEGO'S CLAIM TO GARCÍA'S LORDSHIPS IN 1108 MAY HAVE STEMMED PARTIALLY FROM HIS WIFE'S ANCESTRY.[4] SHE GAVE FOUR SONS: LOPE DÍAZ I, WHO LATER RULED BISCAY AND ÁLAVA, AND THREE OBSCURE NAMES, SANCHO, FORTUNIO AND GIL. SOME HISTORIANS HAVE RECKONED SANCHA DÍAZ DE FRIAS, THE FOUNDER OF SANTA MARÍA DE BUJEDO, HIS DAUGHTER, BUT SHE WAS MORE PROBABLY A DAUGHTER OF DIEGO SÁNCHEZ DE AYALA AND A SISTER OF TODA DÍAZ.[10] IN MAY 1140, WIDOWED,

**MARÍA "THE MOTHER OF COUNT LOPE" (MATER COMITIS
LUPI) AND MAYOR GARCÉS GAVE THE MONASTERY OF
SAN GINÉS TO THAT OF SAN JUAN DE BURGOS.[1]**

**GERALD DIAS LOPEZ
BORN IN BISCAY, SPAIN, DWELT IN FLORENCE**

**OSORIA
BORN IN FLORENCE**

WALTER FITZ OTHER

JOSEPH OF ARMATHEA UNCLE TO JESUS

ANNA

PENARDIN

BRAN THE BLESSED

CARACTACUS

CYLINUS

COEL

LUCIUS OR LLEIVER MAWR

CADVAN

STRADA THE FAIR

HELEN

CONSTANTIUS 1 CLORUS 242 AD

CONSTANTINE 1 227 AD

MAXIMIANUS DAI 1 317 AD

MAXIMUS 1 1 MAGNUS CLEMENS

ST ELEN LIWYDDOG 340 AD

ANNWN DYFED AP MACSEN 355 AD

EDNYFED DYFED AP ANNWN 370 AD

KING TUDWALL 1 AP EDNYFED 411 AD

DING AP TUDWAL 427 AD

SENYLIT HAEL AP DINGAD 462 AD

NEITHON AP SENYLLT 487 AD

RHUN AP NEITHON 512 AD

TUDWAL 1 1 RHUN 537 AD

AHLECH AP TUDWALL 562 AD

CYNFUN AP ANLLECH 587 AD
MERFUN MAWR 610 AD
ANARAWD GWALCH-CRWN 632 AD
TUDWALL 111 AP ANARAWD
SANDDE AP ALCWN 660 AD
ELIDIR AP SANDDE 708 AD
GWRIAD OF MAN 825 AD
MARVYN VRYCH
RHODRI RI MAWR
CADELL AP RHODRI MAWR
HYWEL DHA AP CADELL
OWAIN AP HYWEL DHA
EINION AP OWAIN
CADELL AP EINION
TEWDWR MAWR AP CADELL
RHYS AP TEWDWR MAWR
NESTA RHYS MARRIED **GERALD DE WINDSOR**

**1 MR. COSIMO GHERARDINI 1ST GREAT DUKE OF
FLORENCE B: ABT. 87**

2 MR. MATHIAS GHERARDINI B: ABT. 900

**3 LORD OTTERUS (OTHOER) GHERARDINI 1:
BARON OF GHERARDINI 2: LORD IN TUSCANY B: 934
GHERARDINI, ITALIA D: 996 IN ITALIA?**

**4 LORD GHERARDO GHERARDINI BARON
(LORD) OF WINDSOR B: 980 ITALIA? D: AFT. 1006 IN
ITALIA? RESIDENCE: FLORENCE, ITALIA**

**5 DOMINUS OTHO B 1: 1006 FLORENCE, ITALIA B
2: 1010 FLORENCE, ITALIA IMMIGRATION: 1042 ITALIA
TO NORMANDIE, FRANCE/WALES TO ENGLAND D: AFT.
1042 IN SURREY, ENGLAND**

**MR. WALTER FITZ OTHO OF WINDSOR 1: 1078
CASTELLAN OF WINDSOR CASTLE 2: BET. 1066 - 1087**

**WARDEN OF FORESTS IN BERKSHIRE (C.1066-87) 3:
1100 KEEPER OF THE FOREST B 1: 1037 B 2: 1050
LIVING: BET. 1066 - 1087 D:**

1100 IN ENGLAND REFERENCE #: (Ä178:2)

OTHO (OTHOER) OF TUSCANY

OR: GHERARDINE (GHERARDO) OF FLORENCE

**OTHO (OTHER DOMINUS) GERALDINUM (? - BY
1100)**

**FOUNDER OF FAMILY OF WINDSOR 4TH IN DESCENT
FROM**

RAINERO

IN THE " BATTLE ABBEY BOOK "

WALTER FITZOTHO (FITZOTHER) (1045? - 1099+)

GERALD FITZWALTER DE WINDSOR

**WILLIAM FITZOTHER (ANCESTOR OF THE FITZGERALDS
OR IRELAND AND ELSEWHERE) HELD COMPTON (NOW IN
SUSSEX), HURTMORE, GODALMING, PEPPER HARROW
AND A "HOMAGER" IN THE SOKE OF KINGSTON. HE AND
HIS BROTHER WALTER FITZOTHER WERE THE SONS OF
OTHER, UTHER OR ODO, THIRD IN DESCENT FROM
ZURIA LOPEZ THE FAIR, 1ST LORD OF BISCAY WHO HAD
3 SONS. ONE OF THEM, GERALD DIAS LOPEZ, WAS
EXPELLED TO FLORENCE BY HIS BASTARD BROTHER
IÑIGO. UTHER OR OTHER LIVED IN NORMANDY AND
CAME TO ENGLAND DURING THE CONQUEST WITH HIS
SONS, WALTER AND WILLIAM. WALTER'S SON GERALD,
CASTELLAN OF WINDSOR AND PEMBROKE (UNDER
ARNULF MONTGOMERY DE BELLÊME) MARRIED NESTA,**

Sir Alexander Mackenzie of Tarbat Royston Cromarty

DAUGHTER OF RHYS AP TEWDWR. THEIR DAUGHTER ANGHARAD MARRIED WILLIAM DE BARRY (PARENTS OF GERALD DE BARRY KNOWN AS GIRALDUS CAMBRENSIS, THE HISTORIAN).

BEATRICE (POSS. DE OFFALY)

WALTER FITZ-OTHO DE WINDSOR

GERALD FITZWALTER DE WINDSOR

MAURICE FITZGERALD DE WINDSOR

GERALD FITZ-MAURICE

MAURICE FITZGERALD

THOMAS FITZGERALD

JOHN FITZGERALD

MAURICE FITZTHOMAS FITZGERALD

JOHN FITZTHOMAS CHIEF OF GERALDINES

SLANE BY SIR RICHARD BOCHELL (CAPELL) D 1261

**COLIN (COILIMIM
HYHERNUM)(CAILEAN)(CALLAN)(COLINUM
HYBRIUM)**

**(CALINUS HIBERNUS)(COLINE GERALD)(COLINO
HYBERNO) OR**

COLIN FITZGERALD

OF KINTAIL

**B 1200 D 1278 DONAN CASTLE SCOTLAND
KENNETH (COINNEAH MACOLIN)**

OF KINTAIL 1 1

B 1250-1304 IONA MONASTERY IONA ARGYLL
MURDOCH MACKENNETH

OF KINTAIL

KENNETH MACKENZIE

OF KINTAIL

B -1338

KENNETH MACKENZIE

OF KINTAIL 1 1 1 NA NA SROINE

B -1346 PERTH

MURDOCH MACKENZIE

OF KINTAIL V NA HUAGH

B 1340-1375

MURDOCH MACKENZIE

OF KINTAIL 1 1 1 1x NA DROCHAID

B 1370-1416

ALEXANDER MACKENZIE

OF KINTAIL 1 1 1x IONRAIC

B 1413 LOCHBROOM D 1488 KINELLAN
KENNETH MACKENZIE

OF KINTAIL 1 1x A BHLAIR

B 1454 -1492 KINELLAN

JOHN MACKENZIE

Sir Alexander Mackenzie of Tarbat Royston Cromarty

OF KINTAIL 1X

B 1481-1561 INVERCHONAN HOUSE
KENNETH MACKENZIE

OF KINTAIL X NA CUIRC

B 1543 -1568 BEAULY INVERNESS
COLIN MACKENZIE

OF KINTAIL X 1 CAM

B 1556 KINTAIL D 1594 REDCASTLE ROSSHIRE
RODERICK MACKENZIE

OF TARBAT

B 1577 -1626 KINTAIL ROSSHIRE
JOHN MACKENZIE

OF TARBAT

B 1608 INVERTEIL FIFE D 1654
ALEXANDER MACKENZIE

OF ARDOCH 1

B 1642 KINGHORN FIFE
JOHN MACKENZIE

OF ARDLOCH 1 1

B 1664 -1726
ALEXANDER MCKENZIE

OF ARDLOCH 1 1 1 B M 1732 D 1772

ROBERT MCKENZIE

OF ARDLOCH V

B 1743 -1809

ALEXANDER MCKENZIE

OF TARBAT

D 1839 CALCUTTA INDIA

DONALD MCKENZIE B 1815 KILLIEMUIR SKYE

INVERNESS

MARY MCKENZIE B 1849 KINGLASSIE

FIFE

ANDREW FOSTER B 1868 KIRKCALDY

FIFE

THOMAS HENDERSON FOSTER B 1903 KIRKCALDY

FIFE

JANE SHIELA FOSTER B 1934 KIRKCALDY

FIFE

PAUL KAY

KAY

ALAN

KAY

ERIC

BARRY J KAY

Sir Alexander Mackenzie of Tarbat Royston Cromarty

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Sir Alexander Mackenzie of Tarbat Royston Cromarty

